

SENATE.

THURSDAY, December 14, 1916.

(Legislative day of Wednesday, December 13, 1916.)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

REGULATION OF IMMIGRATION.

The Senate resumed the consideration of the bill (H. R. 10384) to regulate the immigration of aliens to, and the residence of aliens in, the United States.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McLean	Shields
Beckham	Harding	Martin, Va.	Smith, Ariz.
Brady	Hardwick	Martine, N. J.	Smith, Mich.
Bryan	Hollis	Nelson	Smith, S. C.
Cañon	Husting	Norris	Smoot
Chamberlain	Johnson, Me.	Oliver	Sterling
Chilton	Johnson, S. Dak.	Overman	Thomas
Clapp	Jones	Page	Thompson
Clark	Kenyon	Penrose	Tillman
Colt	Kern	Phelan	Underwood
Culbertson	Kirby	Pittman	Vardaman
Cummins	La Follette	Polindexter	Wadsworth
Curtis	Lane	Robinson	Walsh
Dillingham	Lee, Md.	Saulsbury	Watson
Fernald	Lodge	Sheppard	Weeks
Gore	McCumber	Sherman	Weeks

Mr. KERN. I desire to announce the unavoidable absence of the Senator from Illinois [Mr. LEWIS] on account of illness.

Mr. CHILTON. The Senator from Mississippi [Mr. WILLIAMS] is absent on account of illness.

Mr. MARTINE of New Jersey. I rise to announce that the senior Senator from Louisiana [Mr. RANDELL] and the junior Senator from Louisiana [Mr. BROUSSARD] are detained at their homes on account of illness.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present.

Mr. LA FOLLETTE. Mr. President, I think that the objection which I raised to a portion of section 3 and a portion of section 28 can be met by the adoption of a simple amendment to the last paragraph of section 28, which will be offered by the junior Senator from Georgia [Mr. HARDWICK], and which he has submitted to the chairman of the committee, to the Senator from Massachusetts [Mr. LODGE], and to myself.

Therefore I ask leave to withdraw the amendment which I offered to section 28, on page 57, and which I understand is still pending. I will follow that by a motion to reconsider the two amendments which were adopted to section 3, and then the Senator from Georgia will submit the amendment which he has prepared.

Mr. HARDWICK. As I understand it, the Senator from Wisconsin has withdrawn his motion to strike out the paragraph beginning at line 23, page 57, and ending at line 3, page 58. A motion now to amend the text is, I believe, in order, and in behalf of the committee I offer a proposition to insert after the word "property," in line 25, the words "except in war or revolution."

The VICE PRESIDENT. Just a moment. The Senator from Georgia will bear with the Chair. It is not in order until we have reconsidered the vote whereby it was adopted.

Mr. HARDWICK. It has not been adopted.

Mr. LA FOLLETTE. That was not adopted.

Mr. HARDWICK. The Senator from Wisconsin had moved it. He simply withdraws his motion.

Mr. LA FOLLETTE. That amendment was not adopted.

Mr. HARDWICK. A motion to perfect the text is first in order, anyway, as a matter of parliamentary law.

The VICE PRESIDENT. Have these amendments been agreed to?

Mr. LA FOLLETTE. These are not affected by the amendment offered by the Senator from Georgia, but if the amendment offered by the Senator from Georgia is adopted, I will move to reconsider the amendments which were agreed to in section 3, because that is taken care of by another part of the bill.

Mr. SMITH of Michigan. Is the Senator from Georgia going to explain his amendment?

Mr. HARDWICK. Yes, sir; in just a moment. I have offered an amendment to come in after the word "property," in line 25, page 57, inserting the words "except in war or revolution," so that the paragraph as amended will read:

Any person who knowingly aids or assists any alien who advocates or teaches the unlawful destruction of property, except in war or revolution,

to enter the United States shall be deemed guilty of a misdemeanor—

And so forth.

Mr. SMITH of South Carolina. We accept that amendment.

Mr. HARDWICK. It is almost self-explanatory. I will say this much in behalf of the committee and of the amendment which we think solves this question, that the committee, on mature reflection, were not willing to be put even in the temporary attitude of assenting to any proposition that might look as if we agreed to the importation into this country of people who advocated the doctrine of the general unlawful destruction of property. On the other hand, we quite understood the objection urged by the Senator from Wisconsin and his motive in urging it. We did not want the language so drawn that the people, for instance, to use the illustration that he aptly gave, who threw the tea into Boston Harbor might be barred out of this country under the language.

So we have offered to insert the words "except in war or revolution," where the destruction of property is not a propaganda but a mere instrument of a fight that is being made in a good cause. I think that meets the situation properly, and I hope the amendment will be agreed to.

Mr. LA FOLLETTE. I suggest to the Senator to also insert the word "insurrection."

Mr. HARDWICK. I think that does not change what I have in mind, and I am perfectly willing to accept the suggestion of the Senator from Wisconsin.

Mr. LA FOLLETTE. Revolution may not be a comprehensive term. I make that suggestion.

Mr. HARDWICK. As the Senator suggests, I will insert the word "insurrection" before the word "revolution." It is the same basic idea. It will then read "except in war, insurrection, or revolution." In other words, political affairs where the destruction of property is a mere instrument which men must apply to secure what they consider to be their rights and their liberty. That is what the Senator has in mind.

Mr. LA FOLLETTE. The suggestion comes really from the Senator from Wyoming [Mr. CLARK].

Mr. HARDWICK. I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia.

Mr. CUMMINS. I would like to hear it read.

The SECRETARY. On page 57, reprint of December 7, line 25, after the word "property," insert a comma and the words "except in war, insurrection, or revolution," so that it will read:

Any person who knowingly aids or assists any alien who advocates or teaches the unlawful destruction of property, except in war, insurrection, or revolution, to enter the United States shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished—

And so forth.

Mr. SMITH of Michigan. Mr. President, of course the purpose of the Senator from Georgia is to solve this difficulty in some way, I suppose, so that the bill may progress. I am not one of those men who believe that revolution or insurrection is necessarily a virtue. I do not believe, either, that it would be wise for such men as Villa, for instance, to prey upon American life and American property three or four years and have the privilege extended to him by virtue of the character of his occupation to come in under legislation that the United States Senate is perfecting with so much care.

Mr. HARDWICK. I should like to get him over here.

Mr. SMITH of Michigan. We could not do anything except to hold him on the border under a tent guarded by American soldiers.

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia [Mr. HARDWICK].

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I move to reconsider the vote by which, on my motion, the following words were stricken out of the bill, on page 5, lines 10 and 11:

Or who advocate or teach the unlawful destruction of property.

And in lines 19 and 20:

Or who advocate or teach the unlawful destruction of property.

I move to reconsider the vote by which those words were stricken out of section 3, on page 5.

The VICE PRESIDENT. The question is on the motion to reconsider.

The motion to reconsider was agreed to.

Mr. LA FOLLETTE. I think the objections raised to those words are taken care of by the provision upon page 10, lines 6 and 7.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. REED. Out of order I desire to present a petition favorable to the immigration bill signed by Jesse Branch and several hundred other citizens. I ask that the petition, which is very short, may be printed in the RECORD without the names of the persons signing it.

The VICE PRESIDENT. Without objection, it is so ordered.

The petition is as follows:

Hon. JAMES A. REED,
Senator for Missouri, Washington, D. C.

HONORED SIR: As citizens of the United States, as well as of Missouri, we most earnestly appeal to you to support the immigration bill containing the "illiteracy test" and assist in having an early vote on same by the Senate. We are confident you have read the report and final recommendations of the Immigration Commission, especially that part in which they say, "We are receiving too many undesirables," and "that the 'illiteracy test' is the most feasible single method of stopping them." Surely you realize the need of this legislation.

Mr. PHELAN. Mr. President, I move to reconsider the vote whereby the Senate agreed to the committee amendment on page 49, line 16, with a view of afterwards moving to restore the language of the House bill. Permit me to state that the language in section 22 as passed by the other House is as follows:

That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him—

They shall be permitted to land, provided that they are not afflicted with contagious sickness. The Senate committee has recommended that the words "taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen" be stricken out, and that there be substituted instead the words "resided in the United States for seven consecutive years."

Section 37 of the present immigration act, now existing, gives the right to an alien resident of this country who shall have taken up his permanent residence here and shall have filed his declaration of intention to become a citizen. The language of the present law and the language adopted by the House has been stricken out by the Senate on the recommendation of the committee, and it now allows any alien resident of the United States for seven years to send for his wife and children. As the law now stands, and as the House recommended in this bill, I contend aliens from the Orient may not bring their wives to the mainland of the United States, and, as I yesterday pointed out, there has been a great abuse. Alien residents of the western coast have been importing women known as "picture brides," and though there is suspicion that in some cases these women are brought for immoral purposes, the department, however, states that they are mostly brought for the purpose of contracting marriage. The marriage that is contracted on the other side—the parties are separated by an ocean and merely exchange photographs—is no marriage at all. The marriage after they arrive here looks very much as though it were a subterfuge to avoid the law which now protects this country against oriental immigration and the increase here of oriental peoples.

We who are familiar with this subject believe that it is none the less an evil affecting the character of our population to bring these people here as to provide for or facilitate the birth of these people here. Indeed, when they are born upon the soil they do not lose their identity as orientals, and on maturity, whether they be men or women, in California and in Oregon and Washington they have the right to vote. So a very grave question affecting the interest not only of our race but of our institutions and of our democratic form of government is involved in the settlement of this question. Therefore I move the reconsideration of the vote whereby the amendment was agreed to, in order that the language of the bill as it came from the House may be restored, which is substantially the language of the present law.

Mr. SMITH of South Carolina. Mr. President, the point to which the Senator from California directs the attention of the Senate was carefully gone into by the committee. The language which he cites provides:

That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen—

We have struck out those words for the reason that we did not care to encourage these birds of passage immediately upon landing to declare their intention to become citizens, when they were at perfect liberty immediately to go backward and forward as they saw fit; but we incorporated the words "resided in the United States for seven consecutive years." When one has resided here for that length of time, it is nearly conclusive proof that he intends to remain. The Senate committee, after due consideration, knowing that the House text ab-

solutely meant nothing and did not aid us in the object that we sought to attain, but was rather a bar to it, recommended the amendment, and therefore reported to strike out the words "permanent residence," and to insert in lieu thereof the words "resided in the United States for seven consecutive years?"

There is a large class that come and go. We were attempting to include those who really intended to stay in this country, and we wanted to put a reasonable limit upon residence here which would justify us in the belief that they intended to remain. Hence we fixed the term of residence at seven years.

I sincerely hope that the Senate will not reconsider the vote by which this amendment was agreed to, and open up and make easy the abuse of the privilege of aliens declaring their intention to become citizens of the United States, and immediately, on the making of that declaration, grant them all the privileges of this paragraph.

Mr. GRONNA. Mr. President, has the Senator from South Carolina or has the committee any record that will show that the men to whom the Senator refers do apply for citizenship? From my observation I will state that I do not think the language as it has been written by the Senate committee will affect those people at all. I do not believe that the committee has any record to show that these so-called birds of passage do apply for citizenship while they are in this country or during the short time they stay here; and I agree perfectly with the Senator from California [Mr. PHELAN] that the language reported by the Senate committee should be stricken out and that the language of the House bill should be restored.

Mr. SMITH of South Carolina. If the Senator will permit me, the following is the text of the bill as it came from the House:

And thereafter shall send for his wife or minor children to join him, and said wife or any of said minor children shall be found to be infected with any contagious disorder—

And so forth.

If the language of the bill as it came from the House is restored, then any man coming here and declaring his intention to become a citizen, whether he does so actually intend or not, can bring his family here, whereas, under the terms of the bill as now framed, he must give some evidence of his intention to become a citizen before he shall be granted that privilege.

Mr. GRONNA. If the Senator will allow me again, the trouble with the argument of the Senator from South Carolina is that he bases it on a false foundation. The Senate committee is not in a position to show that among the so-called known birds of passage a single person, such as the Senator from South Carolina refers to, has ever applied for citizenship.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from South Carolina if a man of family comes here from abroad and, after a brief residence here, does qualify to remain, that naturalizes his family whether they are here or abroad?

Mr. SMITH of South Carolina. Yes; if he becomes a citizen.

Mr. SMITH of Michigan. But his wife becomes an American citizen ipso facto after he becomes one?

Mr. LODGE. This only covers the declaration of intention to become a citizen.

Mr. SMITH of Michigan. I think the Senator from Massachusetts is correct, of course. After five years the alien becomes a citizen of the United States, but his wife ipso facto becomes a citizen also.

Mr. SMITH of South Carolina. Suppose, however, he does not become naturalized but has stayed here seven years, then this privilege is proposed to be extended to him.

Mr. SMITH of Michigan. If he is in suspense, then, of course, we should extend him this privilege.

Mr. SMITH of South Carolina. Exactly; and that is the object of the amendment.

Mr. PHELAN. Mr. President, of course this is a general bill. What I said related more to the orientals, but it is of far greater importance to people who are not orientals and who are desirable citizens. The language inserted in the Senate bill by the committee requires residence in the United States for seven consecutive years before a desirable white immigrant can send for his wife and child. I can not conceive of a greater hardship imposed upon a man who legitimately comes here to reside. I am not speaking of "birds of passage," to use the language of the Senator from South Carolina. There is nothing that indicates we are dealing with birds of passage. The language of the House bill reads:

That whenever an alien shall have been naturalized or shall have taken up his permanent residence in this country—

His permanent residence in this country—
and shall have filed his declaration of intention to become a citizen—

Then he may send for his wife and minor children. That is the language of the House bill which we desire to restore—taken up his permanent residence in this country and shall have filed his declaration of intention to become a citizen.

The Senate committee seeks to strike that out and to say that he must reside in the United States for seven years. Imagine the hardship on a man coming in good faith, a desirable immigrant—and we must welcome desirable immigrants—denied the privilege of sending for his wife and children for seven years. To what end and for what purpose? I will tell you. If this provision were written by an oriental attorney it could not have been written more dexterously to meet the oriental conditions, because it enables the oriental to send for his alleged wife—his "picture bride"—and it keeps out the family of the desirable immigrant for seven years. That is the only purpose of it. Under the House provision the oriental can not send for his "picture bride," because he is incapable of filing his declaration of intention to become a citizen, being barred by our naturalization laws—as to which there is no question or any disposition to change them.

So, if we restore the language of the House bill, we give to the legitimate immigrant coming in good faith to take up his permanent residence in this country the right to send for his wife after making a declaration of intention to become a citizen, but at the same time we bar the "picture brides."

Mr. GALLINGER. Mr. President, not especially addressing myself to the amendment now before the Senate, I want to express my gratification over the changes that have been made in the bill concerning matters which were in controversy last evening and in which I took a somewhat prominent part. I am glad that the committee has since then given very careful attention to the question of admitting into this country men who advocate lawlessness, including the destruction of property, and who have little regard for the laws of the United States. To my mind, if there is one peril that confronts this country greater than any other at the present time it is the lawlessness that abounds in certain sections, the disregard of our laws, the claimed right to destroy property if certain men see fit to do so, and to establish in our land a condition of anarchy that strikes at the very foundation of our institutions.

The chairman of the committee very kindly submitted to me a memorandum this morning which, upon examination, I think covers the contention that I made last evening and which makes the bill as it now stands adequate to protect the people of this country and the Government from those lawless men, some of them members of powerful organizations, who have little regard for the rights, the property, and the lives of our citizens if it suits their purpose to destroy either property or lives. We can not be too careful in our legislation on that point, as constitutional government and anarchy are utterly incompatible.

The VICE PRESIDENT. The question is on the motion of the Senator from California to reconsider the vote whereby the amendment on page 49 was adopted.

Mr. PHELAN. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL]. In his absence I withhold my vote.

Mr. CLARK (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote.

Mr. GALLINGER (when his name was called). I have a general pair with the Senator from New York [Mr. O'GORMAN]. He is not in the Chamber, and for that reason I withhold my vote, not knowing how he would vote if he were present.

Mr. McLEAN (when his name was called). I have a pair with the senior Senator from Montana [Mr. MYERS]. In his absence, and not knowing how he would vote if present, I will withhold my vote. I will let this announcement stand for the day.

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN], and therefore withhold my vote.

Mr. THOMAS (when Mr. SHAFROTH's name was called). I wish to announce that my colleague [Mr. SHAFROTH] is detained by illness, and is therefore unable to appear in the Senate. If present, he would vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GORF] to the senior Senator from Florida [Mr. FLETCHER] and vote "nay." The roll call was concluded.

Mr. ASHURST. I desire to announce the absence of the senior Senator from Montana [Mr. MYERS] by reason of illness,

and to state that he is paired with the junior Senator from Connecticut [Mr. McLEAN].

Mr. BECKHAM (after having voted in the negative). I transfer my pair with the senior Senator from Delaware [Mr. DU PONT] to the junior Senator from Louisiana [Mr. BROUSSARD] and will let my vote stand.

Mr. CHILTON. I transfer my pair just announced to the senior Senator from Illinois [Mr. LEWIS] and vote "nay." While I am upon my feet I wish to announce that the senior Senator from Illinois [Mr. LEWIS] and the senior Senator from Mississippi [Mr. WILLIAMS] are absent on account of illness.

Mr. LODGE (after having voted in the negative). Has the senior Senator from Georgia [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. LODGE. I have a general pair with that Senator; but as he would vote the same way that I do, I will allow my vote to stand.

Mr. PENROSE (after having voted in the negative). I will ask whether the senior Senator from Mississippi [Mr. WILLIAMS] has voted?

The VICE PRESIDENT. He has not.

Mr. PENROSE. I withdraw my vote.

Mr. CATRON. I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. As he seems to be absent, and I do not know how he would vote if present, I withhold my vote. If I were at liberty to vote, I would vote "yea."

The result was announced—yeas 26, nays 39, as follows:

YEAS—26.

Borah	Gore	Norris	Sterling
Brady	Gronna	Oliver	Townsend
Brandegee	Jones	Phelan	Wadsworth
Bryan	Kenyon	Pittman	Watson
Chamberlain	La Follette	Reed	Works
Cummins	Lee, Md.	Smith, Mich.	
Curtis	Newlands		

NAYS—39.

Ashurst	Hollis	Martin, Va.	Smoot
Bankhead	Husting	Martine, N. J.	Sutherland
Beckham	James	Nelson	Swanson
Chilton	Johnson, Me.	Page	Thomas
Culberson	Johnson, S. Dak.	Pomerene	Thompson
Dillingham	Kern	Sheppard	Tillman
Fernald	Kirby	Sherman	Underwood
Harding	Lane	Shields	Vardaman
Hardwick	Lodge	Smith, Ariz.	Weeks
Hitchcock	McCumber	Smith, S. C.	

NOT VOTING—31.

Broussard	Gallinger	O'Gorman	Simmons
Catron	Goff	Overman	Smith, Ga.
Clapp	Hughes	Owen	Smith, Md.
Clark	Lea, Tenn.	Penrose	Stone
Colt	Lewis	Ransdell	Walsh
du Pont	Lippitt	Robinson	Warren
Fall	McLean	Saulsbury	Williams
Fletcher	Myers	Shafrath	

So Mr. PHELAN's motion to reconsider was rejected.

Mr. SMITH of South Carolina. Mr. President, on page 65, line 17, I offer an amendment which is only designed to effect the purpose of the section by correcting a date.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 65, line 17, it is proposed to strike out "July 1, 1916," and insert "May 1, 1917."

The amendment was agreed to.

Mr. PHELAN. Mr. President, on page 49, line 17, after the word "wife," I move that the following words be inserted:

Provided the marriage with said wife was contracted before departure from the country from which said person emigrated.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 49, line 17, after the word "wife," it is proposed to insert:

Provided the marriage with said wife was contracted before departure from the country from which said person emigrated.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was rejected.

The VICE PRESIDENT. The bill is still in the Senate and open to amendment. If there be no further amendment to be proposed, the question is, Shall the bill be engrossed and read a third time?

The bill was ordered to be engrossed and read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. LODGE and Mr. SMITH of South Carolina called for the yeas and nays, and they were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CHILTON (when his name was called). Making the same announcement of my pair and its transfer as on the former ballot, I vote "yea."

Mr. CLARK (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. STONE]. In the absence of that Senator I withhold my vote. If he were present and I at liberty to vote, I should vote "yea."

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH], but I am released from its obligations respecting this question. I therefore vote "yea."

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. He is absent from the Chamber. If the Senator from New York were present, he would vote "nay" and I would vote "yea." I regret that I can not get a transfer of my pair.

Mr. CHILTON (when Mr. LEWIS's name was called). The senior Senator from Illinois [Mr. LEWIS] is absent on account of illness.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH], but as I am informed that he would vote the same way that I intend to vote I will vote. I vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the senior Senator from Louisiana [Mr. RANDELL] and vote "yea."

Mr. PENROSE (when his name was called). I am paired with the senior Senator from Mississippi [Mr. WILLIAMS]. I am informed that if he were present he would vote in favor of the measure, and I will therefore vote. I vote "yea."

Mr. THOMAS (when Mr. SHAFROTH's name was called). I desire to announce the absence of my colleague [Mr. SHAFROTH] on account of illness. If he were present, he would vote "yea."

Mr. HARDWICK (when the name of Mr. SMITH of Georgia was called). I wish to announce the absence from the city on business of my colleague, the senior Senator from Georgia [Mr. SMITH]. If present, he would vote "yea." He is paired with the senior Senator from Massachusetts [Mr. LODGE], but has requested that Senator to vote on this question.

Mr. TILLMAN (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. GOFF] to the senior Senator from Florida [Mr. FLETCHER] and vote "yea."

The roll call was concluded.

Mr. CATRON. I have a general pair with the senior Senator from Oklahoma [Mr. OWEN]. He being absent, and not knowing how he would vote if present, I withhold my vote.

Mr. POINDEXTER (after having voted in the affirmative). I am paired with the junior Senator from Colorado [Mr. SHAFROTH], but I am informed that if present he would vote "yea." I have already voted "yea." Consequently, I will allow my vote to stand.

Mr. CHILTON. I desire to announce the absence of the senior Senator from Mississippi [Mr. WILLIAMS] on account of illness, and also the absence of the senior Senator from Montana [Mr. MYERS] on account of illness. If the Senator from Montana were present, he would vote "yea."

Mr. COLT (after having voted in the negative). I have a pair with the junior Senator from Delaware [Mr. SAULSBURY]. I understood from him this morning that if he were present he would vote "nay." I will therefore allow my vote to stand.

Mr. CURTIS. I was requested to announce the following pairs:

The Senator from Minnesota [Mr. CLAPP] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Wyoming [Mr. CLARK] with the Senator from Missouri [Mr. STONE]; and

The Senator from Rhode Island [Mr. LIPPITT] with the Senator from Montana [Mr. WALSH].

Mr. ROBINSON. I desire to announce that the Senator from Delaware [Mr. SAULSBURY] is absent on official business. If he were present, he would vote "nay."

The result was announced—yeas 64, nays 7, as follows:

YEAS—64.

Ashurst	Harding	Martin, Va.	Smith, Mich.
Bankhead	Hardwick	Nelson	Smith, S. C.
Beckham	Hitchcock	Newlands	Smoot
Borah	Hollis	Norris	Sterling
Brady	James	Oliver	Sutherland
Bryan	Johnson, Me.	Overman	Swanson
Chamberlain	Johnson, S. Dak.	Page	Thomas
Chilton	Jones	Penrose	Thompson
Clapp	Kenyon	Pittman	Tillman
Culberson	Kern	Poin Dexter	Townsend
Cummins	Kirby	Pomeroy	Underwood
Curtis	La Follette	Sheppard	Vardaman
Dillingham	Lane	Sherman	Wadsworth
Fernald	Lee, Md.	Shields	Watson
Gore	Lodge	Simmons	Weeks
Gronna	McCumber	Smith, Ariz.	Works

NAYS—7.

Brandege	du Pont	Martine, N. J.	Reed
Colt	Husting	Phelan	
NOT VOTING—25.			
Broussard	Hughes	Owen	Stone
Catron	Lea, Tenn.	Ransdell	Walsh
Clark	Lewis	Robinson	Warren
Fall	Lippitt	Saulsbury	Williams
Fletcher	McLean	Shafroth	
Gallinger	Myers	Smith, Ga.	
Goff	O'Gorman	Smith, Md.	

So the bill was passed.

Mr. PHELAN. Mr. President, I desire to explain my vote. I consider the bill so defective in its present form that I could not consistently vote for it, but I expect to vote for it when it comes out of the conference.

Mr. SMITH of South Carolina. Mr. President, I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SMITH of South Carolina, Mr. HARDWICK, and Mr. LODGE conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

The VICE PRESIDENT announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House:

H. R. 9856. An act granting to the St. Louis, Iron Mountain & Southern Railway Co., and to the Anheuser-Busch Brewing Association, and to the Manufacturers' Railway Co., permission to transfer certain rights of easement for railway purposes heretofore granted by the United States to the St. Louis & Iron Mountain Railroad Co., and to the Anheuser-Busch Brewing Association, respectively; and

H. R. 10049. An act for the relief of Capt. Harvey H. Young.

PETITIONS AND MEMORIALS.

Mr. POINDEXTER presented a petition of Local Union No. 64, International Weavers' Union of America, of Kapowsin, Wash., praying for the placing of an embargo on food products and also for the enactment of legislation to protect the farmer by making it a felony to deal in futures in food products, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Presbytery, of Bellingham, Wash., praying for the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Seattle, Wash., praying for an investigation into the labor troubles at Everett, Wash., which was referred to the Committee on Education and Labor.

Mr. McLEAN presented a petition of Capital City Branch, No. 86, National Association of Letter Carriers, of Hartford, Conn., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 7333) granting an increase of pension to William R. Stephens; and

A bill (S. 7334) granting an increase of pension to August Dippel (with accompanying papers); to the Committee on Pensions.

By Mr. LANE:

A bill (S. 7335) granting an increase of pension to Melisa Hogan (with accompanying papers); and

A bill (S. 7336) granting an increase of pension to John Stone (with accompanying papers); to the Committee on Pensions.

By Mr. McLEAN:

A bill (S. 7337) granting an increase of pension to William Brant (with accompanying papers); to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 7338) to provide for the adjudication of claims of trust companies and other claimants for refund of taxes illegally collected; to the Committee on Claims.

A bill (S. 7339) granting a pension to Emory C. Powers (with accompanying papers); to the Committee on Pensions.

By Mr. MARTINE of New Jersey:

A bill (S. 7340) authorizing the Secretary of the Interior to enroll Zerelda Belle Cook and Charles H. Richter as Cherokee Indians; to the Committee on Indian Affairs.

By Mr. SHERMAN:

A bill (S. 7341) granting an increase of pension to Michael H. Carr; and

A bill (S. 7342) granting a pension to Henry A. Rowley; to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 7343) appropriating the sum of \$5,000 to be expended by the Secretary of Agriculture in cooperative work in forage-crop investigations in the State of Washington; to the Committee on Appropriations.

A bill (S. 7344) granting an increase of pension to James Olds (with accompanying papers); and

A bill (S. 7345) granting a pension to Amme A. Wilson (with accompanying papers); to the Committee on Pensions.

By Mr. UNDERWOOD:

A bill (S. 7346) granting a pension to Robert L. Crook, jr.; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 7347) granting a pension to Louisa Brown; and

A bill (S. 7348) granting an increase of pension to William R. Miller (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 7349) to exempt from taxation certain property of the Daughters of the American Revolution in Washington, D. C.; to the Committee on the District of Columbia.

By Mr. BRADY:

A bill (S. 7350) to grant certain lands to the city of Pocatello, State of Idaho, for a municipal park and for the protection of its water supply; to the Committee on Public Lands.

By Mr. JOHNSON of South Dakota:

A joint resolution (S. J. Res. 183) proposing an amendment to section 7, Article I of the Constitution of the United States, relative to the Executive veto of bills passed by Congress; to the Committee on the Judiciary.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. JONES submitted an amendment proposing to increase the appropriation for continuing the construction and enlargement of the irrigation and drainage system to make possible the utilization of the water supply for 40 acres of each Indian allotment on the Yakima Indian Reservation, Wash., from \$200,000 to \$400,000, intended to be proposed by him to the Indian appropriation bill (H. R. 18543), which was referred to the Committee on Indian Affairs and ordered to be printed.

SALE OF PUBLIC LANDS.

Mr. POINDEXTER submitted an amendment intended to be proposed by him to the bill (H. R. 15096) to amend the act entitled "An act to amend sections 2275 and 2276 of the Revised Statutes of the United States, providing for the selection of lands for educational purposes in lieu of those appropriated," and to authorize an exchange of lands between the United States and the several States, which was referred to the Committee on Public Lands and ordered to be printed.

COMMITTEE SERVICE.

On motion of Mr. KERN, it was

Ordered, That to fill existing vacancies on the committees herein-after named:

Senator HARDWICK, of Georgia, be appointed a member of the Committee on the Census;

Senator CHILTON, of West Virginia, be appointed a member of the Committee on Territories, and also a member of the Committee on Expenditures in the Department of Commerce; and

Senator KIRBY, of Arkansas, be appointed a member of the Committee on Pacific Railroads, and also a member of the Committee on Corporations Organized in the District of Columbia.

THOMAS M. JONES.

Mr. OLIVER. I ask unanimous consent for the present consideration of House bill 1788, the last bill on the calendar. It is a private bill which proposes to give justice to an old soldier, and I hope the Senate will allow it to be considered at this time.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes that in the administration of the pension laws and laws governing entrance to soldiers' homes Thomas M. Jones shall be held and considered to have been mustered into the United States service as a drummer in Independent Company C, Pennsylvania Volunteer Infantry, on September 8, 1862, and to have been honorably discharged on April 23, 1863, and that no bounty, pay, or other allowance shall become due or payable by reason of the passage of the act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

Mr. SHEPPARD. I move that the Senate proceed to the consideration of the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. SHEPPARD. I offer the following amendments.

The VICE PRESIDENT. The amendments will be stated in their order.

The SECRETARY. On page 1, line 7, of the reprint strike out the word "shall" after the word "Columbia."

The amendment was agreed to.

The SECRETARY. Also add the word "shall" before the words "in the District of Columbia," line 7, on the same page, so as to read:

Officers, clerks, or servants, directly or indirectly shall in the District of Columbia manufacture, sell, offer for sale, keep for sale—

And so forth.

The amendment was agreed to.

The SECRETARY. In line 7, page 1 of the reprint, after the word "manufacture," insert the following words:

For sale or gift, import for sale, import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided.

Mr. PENROSE. Mr. President, this is quite an important measure, and it is very evident a number of Senators interested in both sides of the discussion are not present. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Norris	Smith, S. C.
Beckham	Hitchcock	Oliver	Smoot
Borah	Hollis	Overman	Sterling
Brady	Husting	Owen	Sutherland
Brandegee	James	Page	Thomas
Bryan	Johnson, Me.	Penrose	Thompson
Chamberlain	Johnson, S. Dak.	Phelan	Tillman
Clapp	Jones	Pittman	Townsend
Colt	Kenyon	Polindexter	Underwood
Culberson	Kern	Pomerene	Vardaman
Curtis	La Follette	Saulsbury	Wadsworth
Dillingham	Lee, Md.	Sheppard	Walsh
du Pont	Lodge	Sherman	Watson
Fernald	McCumber	Shields	Weeks
Gallinger	McLean	Simmons	Works
Gore	Martine, N. J.	Smith, Ariz.	
Gronna	Nelson	Smith, Mich.	

The VICE PRESIDENT. Sixty-six Senators have answered to the roll call. There is a quorum present.

ELECTION OF PRESIDENT PRO TEMPORE.

Mr. KERN. Mr. President, I ask unanimous consent that the Senate proceed to the election of a President pro tempore.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KERN. I nominate for the position of President pro tempore of the Senate the Hon. WILLARD SAULSBURY, a Senator from Delaware.

Mr. LODGE. Mr. President, I move to substitute the name of Hon. JACOB H. GALLINGER, a Senator from the State of New Hampshire.

Mr. LA FOLLETTE. I ask for a roll call upon this vote.

The yeas and nays were ordered.

The VICE PRESIDENT. The Chair supposes the question is who shall be the President pro tempore of the Senate, Senator SAULSBURY or Senator GALLINGER. The Chair assumes that the Senate has a right to order a roll call and that Senators will vote their preference. The Secretary will call the roll.

Mr. BRYAN. I understood that the motion of the Senator from Massachusetts was in the nature of a substitute.

Mr. LODGE. It was to substitute the name of Senator GALLINGER for that of Senator SAULSBURY.

Mr. BRYAN. The question comes first on the substitute, it occurs to me.

The VICE PRESIDENT. That is right. The question will then be on substituting the name of Senator GALLINGER for that of Senator SAULSBURY. The Secretary will call the roll.

The Secretary proceeded to call the roll, and Mr. ASHURST responded in the negative.

Mr. LA FOLLETTE. Mr. President, I nominate for the office of President pro tempore of the Senate the junior Senator from Minnesota, Senator MOSES E. CLAPP.

The Secretary resumed the calling of the roll.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The roll call has started and there has been a response.

Mr. PENROSE. On what motion are we voting?

The VICE PRESIDENT. We are voting on the substitution of Senator GALLINGER for Senator SAULSBURY.

Mr. WALSH. Mr. President—

The VICE PRESIDENT. The roll call has begun and it will proceed. Some one will be elected after a while.

The Secretary resumed the calling of the roll.

Mr. DILLINGHAM (when his name was called). Owing to the absence of the senior Senator from Maryland [Mr. SMITH], with whom I have a pair, I withhold my vote. Otherwise I would vote "yea."

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN]. For that reason I withhold my vote, but if not paired, I would withhold my vote, as I am supposed to have an interest in the vote.

Mr. LA FOLLETTE (when his name was called). For MOSES E. CLAPP.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. In his absence I am unable to vote. If he were present, I should vote "yea."

Mr. OVERMAN (when his name was called). I have a general pair with the junior Senator from Wyoming [Mr. WARREN]. I will transfer that pair to the senior Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], who is absent, and I withhold my vote. Were I permitted to vote, I would vote "yea."

Mr. SAULSBURY (when his name was called). I ask to be excused from voting.

Mr. THOMAS (when Mr. SHAFROTH's name was called). If my colleague [Mr. SHAFROTH] were able to be present, he would vote "nay."

Mr. SIMMONS (when his name was called). I transfer my general pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from Colorado [Mr. SHAFROTH] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Florida [Mr. FLETCHER] and vote "nay."

The roll call was concluded.

Mr. CHILTON. I make the same announcement of the transfer of my pair that I did on the former ballot and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Mexico [Mr. FALL] with the Senator from West Virginia [Mr. CHILTON];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from New Mexico [Mr. CATRON] with the Senator from Oklahoma [Mr. OWEN].

Mr. OWEN. I transfer my pair with the Senator from New Mexico [Mr. CATRON] to the Senator from New Jersey [Mr. HUGHES] and vote "nay."

The result was announced—yeas, 26, nays 39, as follows:

YEAS—26.

Borah	Fernald	Oliver	Sutherland
Brady	Gronna	Page	Townsend
Brandegge	Harding	Poindexter	Wadsworth
Coff	Jones	Sherman	Watson
Cummings	Lippitt	Smith, Mich.	Weeks
Curtis	McCumber	Smoot	
du Pont	Nelson	Sterling	

NAYS—39.

Ashurst	Hollis	Newlands	Smith, Ariz.
Bankhead	Husting	Overman	Smith, S. C.
Beckham	James	Owen	Swanson
Bryan	Johnson, Me.	Phelan	Thomas
Chamberlain	Johnson, S. Dak.	Pittman	Thompson
Chilton	Kern	Pomerene	Tillman
Culberson	Laue	Reed	Underwood
Gore	Lee, Md.	Sheppard	Vardaman
Hardwick	Martin, Va.	Shields	Walsh
Hitchcock	Martine, N. J.	Simmons	

NOT VOTING—31.

Broussard	Goff	McLean	Shafroth
Catron	Hughes	Myers	Smith, Ga.
Clapp	Kenyon	Norris	Smith, Md.
Clark	Kirby	O'Gorman	Stone
Dillingham	La Follette	Penrose	Warren
Fall	Lee, Tenn.	Ransdell	Williams
Fletcher	Lewis	Robinson	Works
Gallinger	Lodge	Saulsbury	

The VICE PRESIDENT. The substitute is lost.

Mr. LA FOLLETTE. Mr. President, I move to amend by striking out the name of the Senator from Delaware, Hon. WILLARD SAULSBURY, and inserting the name of the junior Senator from Minnesota, Hon. MOSES E. CLAPP, and upon that amendment I ask for the yeas and nays.

Mr. WALSH. Mr. President, I raise the point of order that when more than two nominations are made, a motion to elect any one is not in order, but that the Senate must proceed in some orderly way by voting upon the candidates proposed.

The VICE PRESIDENT. The point of order would have been sustained had it been made at the proper time, but this is the condition of the record exactly: A motion was made to elect Senator SAULSBURY as President pro tempore. Thereupon a motion was made to substitute the name of Senator GALLINGER. The yeas and nays were ordered. Then a nomination was made of Senator CLAPP after the yeas and nays had been ordered. So the Chair was of the opinion that the vote must proceed after it had once started. Now, there are only two names pending before the Senate.

Mr. WALSH. Mr. President, I do not so understand it. The name of Senator SAULSBURY has certainly been proposed by the Senator from Indiana [Mr. KERN]. Although it took the form of a motion, I understood that the Senator from Massachusetts [Mr. LODGE] had proposed to the Senate the name of Senator GALLINGER as a candidate.

The VICE PRESIDENT. To substitute his name for that of the Senator from Delaware.

Mr. WALSH. I appreciate that it took that form.

The VICE PRESIDENT. Well, he is one man that is beaten now, if the Chair knows anything about it.

Mr. WALSH. Well, Mr. President, I do not take that view of it at all. The motion of the Senator from Massachusetts was to amend the motion made by the Senator from Indiana by substituting the name of the Senator from New Hampshire. That has been defeated; but it does not seem to me that that disposes of the matter by any means, because upon a ballot, if we are permitted to ballot upon the candidate, it is of course conceivable that some one may change his mind concerning the Senator from New Hampshire.

I have always felt that a motion to proceed to the election of any man for an office when there were more than two candidates proposed for the place was not a proper parliamentary procedure. I might add, Mr. President, that while I recognize that a point of order ordinarily must be made in season, or it is deemed to be waived, it occurs to me that this is so fundamental in character as that the right of any Senator to demand a ballot under circumstances such as these can not be waived. So, Mr. President, although the roll is being called, I sought to get recognition of the Chair to make that suggestion to the Chair.

The VICE PRESIDENT. The Chair is in entire accord with the Senator from Montana upon the question of the right of balloting for a President pro tempore, but one ballot has taken place. The Chair believes that that eliminates the Senator from New Hampshire. Now, there is another motion to substitute.

Mr. BRYAN. Mr. President, I rise to the point of order which I am going to state. In order that we may proceed in a regular and constitutional way, I will state the Senate has no authority at this time to elect a President pro tempore of the Senate either under the Constitution or under the rules of the Senate. The Constitution reads:

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President.

Senate Rule I provides:

In the absence of the Vice President, the Senate shall choose a President pro tempore.

I think, Mr. President, that we ought to elect a President pro tempore, but I think we ought to do it in the constitutional way. I raise the point of order that the motion of the Senator from Indiana is not in order.

Mr. PENROSE. Mr. President, it seems to me obvious, from what the Chair has stated and from what we are now going through, that the Senate has proceeded irregularly in this matter; and to give every Senator an opportunity to be recorded I would suggest to the majority leader to move, if he chooses to do so—or I will make the motion, anyway—that the Senate proceed to the election of a President pro tempore of the Senate; that nominations shall be in order; that the roll shall then be called; and that Senators shall vote for the nominee of their choice.

Mr. BRYAN. I raise the same point of order on that motion as that which I have already stated.

Mr. PENROSE. I did not catch the Senator's point of order.

Mr. BRYAN. It is that there is no occasion to elect a President pro tempore.

The VICE PRESIDENT. May the Chair inquire of the Senator from Florida what he considers "absence of the Vice President"? How far must the Vice President go before he shall be considered absent?

Mr. BRYAN. I certainly do not consider the presence of the Vice President as his absence. The way it has usually been done, I think, Mr. President, is for the Vice President to temporarily step out of the Chamber.

The VICE PRESIDENT. The Chair requests the Senator from Florida to take the chair.

Mr. BRYAN thereupon took the chair as Presiding Officer.

Mr. PENROSE. Mr. President, may I make a motion?

The PRESIDING OFFICER (Mr. BRYAN in the chair). The Senator from Pennsylvania.

Mr. PENROSE. I ask unanimous consent that the vote which has just been taken be rescinded. If there is no objection to that, then I shall renew the motion which I have already made.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

Mr. JAMES. I object to the request of the Senator from Pennsylvania, Mr. President. I think we had better vote on the nomination which has been made of the Senator from Minnesota [Mr. CLAPP].

The PRESIDING OFFICER. The Chair is of opinion that there is no motion now before the Senate.

Mr. PENROSE. I merely desire to harmonize the situation. I do not care anything about it.

The PRESIDING OFFICER. The Chair is of the opinion that there is no question now before the Senate and that there can not be until a President pro tempore of the Senate is elected. That is the only question that can now be presented in the absence of the Vice President.

Mr. PITTMAN. Mr. President, I move that the Senate proceed to the election of a President pro tempore of the Senate, and that nominations be in order.

The PRESIDING OFFICER. The Senator from Nevada moves that the Senate proceed to the election of a President pro tempore, and that nominations be in order.

Mr. HARDWICK. A parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Georgia will state it.

Mr. HARDWICK. The records of the Senate will show that the Senator from Indiana [Mr. KERN] made a motion which is pending and undisposed of before the Senate. What has become of that motion?

The PRESIDING OFFICER. The Chair is of opinion that the Vice President ruled that motion out of order.

Mr. HARDWICK. If that is the ruling of the Chair, then that clears the situation.

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada [Mr. PITTMAN].

Mr. BRANDEGEE. I desire to make a parliamentary inquiry. Was there any announcement of the result of the roll call?

Mr. LA FOLLETTE. Yes; there was.

Mr. BRANDEGEE. How many times are we required to elect a President pro tempore on a certain day?

The PRESIDING OFFICER. The question is on the motion of the Senator from Nevada. [Putting the question.] The ayes have it, and the motion is agreed to. Nominations for the office of President pro tempore are now in order.

Mr. KERN. Mr. President, I nominate for the office of President pro tempore of the Senate Hon. WILLARD SAULSBURY, of Delaware.

The PRESIDING OFFICER. The question is upon agreeing to the motion of the Senator from Indiana.

Mr. PENROSE. Mr. President, in the absence of the Senator from Massachusetts [Mr. LODGE], who has been unexpectedly called from the Chamber, and in his behalf, I nominate for the office of President pro tempore of the Senate the Senator from New Hampshire, Hon. JACOB H. GALLINGER.

Mr. LA FOLLETTE. Mr. President, I nominate for President pro tempore of the Senate the junior Senator from Minnesota, Hon. MOSES E. CLAPP.

The PRESIDING OFFICER. Without objection, the question will be put in this way: Those Senators favoring the election of the Senator from Delaware will vote by name "Saulsbury"; those favoring the Senator from New Hampshire will vote "Gallinger"; and those favoring the Senator from Minnesota will vote "Clapp." The Secretary will call the roll.

Mr. CHILTON (when his name was called). I make the same announcement of my pair and its transfer as I did on the last ballot and vote for Senator SAULSBURY.

Mr. DU PONT (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. BECKHAM]. As he is absent from the Chamber, I will withhold my

vote. Were I at liberty to vote, I should vote for Senator GALLINGER.

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from New York [Mr. O'GORMAN] on all questions, and I withhold my vote for that reason.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. Therefore I suppose I am not at liberty to vote. If I were at liberty to vote, I should vote for Senator GALLINGER.

Mr. OVERMAN (when his name was called). Announcing again my general pair and its transfer, I vote for Mr. SAULSBURY.

Mr. OWEN (when his name was called). I transfer my pair to the senior Senator from Louisiana [Mr. RANDELL] and vote for Senator SAULSBURY.

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. While I question whether the obligation of a pair applies to an election, yet, nevertheless, out of courtesy to that Senator, who is absent, I will refrain from voting. If I were permitted to vote, I should vote for Senator GALLINGER.

Mr. POINDEXTER (when his name was called). I am paired with the junior Senator from Colorado [Mr. SHAFROTH] and therefore withhold my vote. If at liberty to vote, I should vote for Senator GALLINGER.

Mr. SAULSBURY (when his name was called). I ask to be excused from voting.

Mr. HARDWICK (when the name of Mr. SMITH of Georgia was called). My colleague [Mr. SMITH of Georgia] is absent from the city, and therefore, of course, unable to vote. If he were present, he would vote for the Senator from Delaware [Mr. SAULSBURY]. This announcement as to the absence of my colleague may stand for the day.

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Florida [Mr. FLETCHER] and vote for Mr. SAULSBURY.

The roll call was concluded.

Mr. CLARK. I have a general pair with the senior Senator from Missouri [Mr. STONE], who is absent from the Chamber and from the city. I therefore withhold my vote. If I were at liberty to vote, I should vote for Senator GALLINGER.

Mr. BECKHAM. I inquire if the senior Senator from Delaware [Mr. DU PONT] has voted?

The PRESIDING OFFICER. The Chair is informed that that Senator announced his pair and refrained from voting.

Mr. BECKHAM. Then I will withhold my vote. If at liberty to vote, I should vote for Mr. SAULSBURY.

Mr. OWEN. I wish to change the transfer of my pair from the Senator from Louisiana [Mr. RANDELL] to the Senator from Tennessee [Mr. LEA] and let my vote stand.

The result of the ballot was as follows:

MR. SAULSBURY—41.

Ashurst	Husting	Overman	Smith, S. C.
Bankhead	James	Owen	Swanson
Bryan	Johnson, Me.	Phelan	Thomas
Chamberlain	Johnson, S. Dak.	Pittman	Thompson
Chilton	Kern	Pomerene	Tillman
Culberson	Kirby	Reed	Underwood
Gore	Lane	Robinson	Vardaman
Hardwick	Lee, Md.	Sheppard	Walsh
Hitchcock	Martin, Va.	Shields	
Hollis	Martine, N. J.	Simmons	
Hughes	Newlands	Smith, Ariz.	

MR. GALLINGER—23.

Brady	Harding	Page	Townsend
Brandeggee	Jones	Sherman	Wadsworth
Colt	Lippitt	Smith, Mich.	Watson
Curtis	McCumber	Smoot	Weeks
Fernald	Nelson	Sterling	Works
Gronna	Oliver	Sutherland	

MR. CLAPP—5.

Borah	Kenyon	La Follette	Norris
Cummins			

The PRESIDING OFFICER. On the ballot just taken the Senator from Delaware [Mr. SAULSBURY] has received 41 votes; the Senator from New Hampshire [Mr. GALLINGER] has received 22 votes; and the Senator from Minnesota [Mr. CLAPP] has received 5 votes. The Senate having elected the Hon. WILLARD SAULSBURY President pro tempore of the Senate, that Senator will present himself at the Vice President's desk, and the Chair will administer the oath of office to him.

Mr. SAULSBURY was escorted to the Vice President's desk by Mr. KERN, and, the oath of office having been administered to him by the Presiding Officer, he took the chair as President pro tempore.

The PRESIDENT pro tempore. Senators, no one could appreciate more than I the distinction you have conferred upon me

by electing me to this high office. The intimate associations one has in this body, even during the short service which I have had, make one soon understand the kindness and the good will of his associates. I attribute my election to the kindness and partiality of my friends rather than to any inherent merit I possess; and I earnestly ask of all of you friendly and kindly consideration as to the best of my ability I try to assist in conducting the proceedings of this body in accordance with the high traditions and ideals of the Senate of the United States.

Mr. GALLINGER. Mr. President, I have been a member of this body for more than a quarter of a century. During that time I have never asked any Senator to vote for me for any position whatever, and if I should remain here another quarter of a century I never should make a request of that kind. While warmly thanking the Senators who voted for me, I beg to say that it is a gratification to me that in the election of the Senator who now graces the chair as President pro tempore of this body a man has been chosen by the Democratic Senators who is a man deservedly having the esteem, so far as I know, of every Senator on this side of the Chamber. I extend to that Senator my kindly wishes for his future happiness and welfare, and assure him that, so far as I am concerned, every aid that I can give him in the discharge of his duties will be freely granted.

Mr. KERN submitted the following resolution (S. Res. 288), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary wait upon the President of the United States and inform him that the Senate has elected WILLARD SAULSBURY, a Senator from the State of Delaware, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President from time to time during the pleasure of the Senate in accordance with the terms of its resolution passed March 12, 1890.

Mr. KERN submitted the following resolution (S. Res. 289), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary notify the House of Representatives that the Senate has elected WILLARD SAULSBURY, a Senator from the State of Delaware, President of the Senate pro tempore, to hold and exercise the office in the absence of the Vice President from time to time during the pleasure of the Senate in accordance with the terms of its resolution passed March 12, 1890.

PROHIBITION IN THE DISTRICT OF COLUMBIA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1082) to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes.

The PRESIDENT pro tempore. The pending amendment will be stated.

The SECRETARY. The Senator from Texas [Mr. SHEPPARD] offers the following amendment: In line 7, on page 1, of the reprint, after the word "manufacture," add the following:

For sale or gift, import for sale, import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided.

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Texas some questions concerning the amendments which he now proposes.

On Friday, when he was interrogated by the Senator from Alabama [Mr. UNDERWOOD], the Senator from Texas indicated that it was not the purpose of this bill to prohibit the importation of liquor into the District by individuals for their own use. I see now, under the amendments which the Senator brings in to-day, that he does propose to limit and sharply restrict the importation into this District by individuals of liquor for their own use; that he proposes to limit the amount of liquor that any person can have in his house at any time; that he proposes to limit the frequency with which an individual can purchase and import liquor for use in his own house. In other words, he is converting this bill from an antisaloon measure into a piece of sumptuary legislation in which he proposes to dictate to the people of the District and to those resident in the District what they shall use and how much they shall use in their own households.

Have I correctly interpreted the purpose of these amendments which the Senator proposes?

Mr. SHEPPARD. I shall not accept the construction the Senator puts on my intention. The Senator states the facts correctly; but I have simply embodied here the provisions that are usual in most of the States that have prohibition laws.

Mr. HITCHCOCK. Let me call the Senator's attention to what he stated here on Friday. The Senator from Alabama [Mr. UNDERWOOD] inquired:

Is the importation of liquor into the District of Columbia prohibited? Senator SHEPPARD. The importation of liquor into the District of Columbia for the purposes prohibited in this bill is prohibited; that is, for purposes of sale for beverage purposes.

Mr. UNDERWOOD. But it is not prohibited for consumption purposes?

Mr. SHEPPARD. Not for personal consumption?

Now, after giving that assurance to the Senate, the Senator from Texas brings in these amendments which do propose to dictate to every resident and citizen in this community how much he shall import, when he shall import it, how much he shall have in his house, and how many members of his family shall have liquor. Is not that a correct statement of the situation?

Mr. SHEPPARD. Not exactly. The Senator wanders from his first point. He said that I stated on Friday that this bill did not prohibit the importation of liquor for personal use. It does not prohibit the importation of liquor for personal use. I have simply restricted importation in this amendment. This is done in order to throw safeguards around the law, to prevent its indiscriminate violation. We do not attempt to prohibit the importation into the District for personal use. It has been found advisable, however, by those who have studied the question and who have had long experience in such matters to establish restrictions of this kind in order to make the law effective.

Mr. HITCHCOCK. Mr. President, I think the Senator practically admits my statement. He first brings in here a bill which on its face is an antisaloon bill. It is a bill to prohibit the manufacture of liquor in the District, and a bill to prohibit the sale of liquor in the District, and a bill to prohibit the importation or sale in the District; and he assures Senators upon the floor of the Senate that that is the purpose of the bill. Now he brings in these amendments, which are to a large extent in direct contravention of the assurance which he has given. He changes the bill from a police regulation to a sumptuary regulation to control individuals in their private households. I can place no other interpretation upon the present attitude of the Senator with relation to these amendments.

Mr. SHEPPARD. If the Senator is satisfied with his own construction, I have no complaint. Let him characterize the amendment in his own manner, if it pleases him. It is in truth, however, an administrative amendment which goes more to the proper enforcement of the law than it does to the merits of the question—the question of admitting liquors for personal use or gift.

I shall say to the Senator that I proposed this amendment after consultation with Senators on both sides and with experts in prohibition legislation who thought it would be advisable to insert such a restriction. It appears in the prohibition laws of many States. When the Senator uses the term "sumptuary legislation," and attempts to use language that might be prejudicial to the bill, he is simply repeating the time-worn arguments of those who are opposed to the principle of prohibition.

Mr. HITCHCOCK. I do not know how it may be in all States. I know that the amendment just adopted in Nebraska, and the amendments which have been adopted in most States, prohibit the importation for sale, prohibit the sale, and prohibit the manufacture, but do not undertake to prohibit the private consumption, do not undertake sumptuary regulation, do not undertake to dictate to the individual what he shall drink nor when he shall drink, provided he does it in his own household and imports liquor for his own use. On the other hand, I find upon page 4 of this proposed amendment of the Senator the following:

No person shall, nor shall more than one member of a family occupying the same house, have in his possession, receive, or accept delivery oftener than once a month from any railroad, steamboat, express company, or transportation company of any kind, or from any person whomsoever, any intoxicating liquors in excess of 1 quart of distilled liquor in a single container, or 1 gallon of beer, or 1 gallon of wine, except as herein otherwise provided. Every container in which such distilled liquor, wine, or beer is carried or transported, shall have on it a card not less than 12 inches long by 6 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents.

That is an attempt by legislation to provide the amount of liquor which families shall consume. It is an attempt by the Senator from Texas to dictate to everyone else in this District how much he shall drink.

Mr. SHEPPARD. That is the old argument.

Mr. HITCHCOCK. It is a sumptuary regulation, and it is not the regulation commonly proposed in the prohibition laws of the various States. It evidently was not the intention of the Senator when he introduced his bill, when he asked the Senate to take it up, when he practically got the unanimous consent of the Senate to take it up. That certainly was not the purpose of the bill at that time.

Mr. SHEPPARD. Mr. President, I still insist that it is a matter of administration. This amendment is intended to secure the law against violations. If the Senator thinks that we have not permitted a sufficient amount of liquor, perhaps the amount might be increased. The argument of "dictation" and

"sumptuary legislation" is one that we have heard often. In many of the prohibition States amendments of this kind have been found necessary by experience. They have been passed on by the courts, and have been held to be permissible administrative regulations, and not interferences with any principle of personal use, or right to import for personal use.

Mr. WADSWORTH. Mr. President, may I ask the Senator from Texas a question?

Mr. SHEPPARD. Certainly.

Mr. WADSWORTH. I have not had an opportunity to read the bill with the greatest care, or to compare the amendments which are now suggested by the Senator from Texas with the original text; but do I understand that this sumptuary regulation and limitation of the amount of wine which a person may have in his possession in the District of Columbia will apply to the ambassadors from foreign countries?

Mr. SHEPPARD. It does not apply to them.

Mr. WADSWORTH. Is there a provision in the bill specifically eliminating them?

Mr. SHEPPARD. There is a provision eliminating them from this particular restriction. However, the amount which they are permitted to have is a little larger—5 gallons.

Mr. MARTINE of New Jersey. Mr. President, I should like to ask whether the Senator considers their capacity greater than the American capacity?

Mr. SHEPPARD. Possibly so. [Laughter.]

Mr. MARTINE of New Jersey. Well, I dispute the fact.

Mr. PENROSE. I can not hear fully the character of the colloquy on the other side of the Chamber. I wish the Senators would speak up, so that the Senate can hear what is being said.

I have been profoundly impressed, Mr. President, with this difference in the capacity for absorption of alcoholic stimulants between the foreign born coming here in an official capacity and the native or naturalized element, and I should like to address an inquiry to the Senator from Texas as to the reason for this discrimination. Why does he think that an alien, even in an official capacity, requires a larger amount of alcohol than a native or a naturalized citizen?

Mr. SHEPPARD. It is well known, Mr. President, that in many foreign countries the people are more accustomed to the use of liquor on their tables and in their homes than are we.

Mr. PENROSE. Does the Senator consider foreign nations more intemperate than the United States of America?

Mr. SHEPPARD. Some of them, I certainly do. Some of the most intemperate nations in the world are foreign nations. But that is aside from the point.

Mr. MARTINE of New Jersey. As I understand, the object of this bill is to save the Nation—to save humanity. I want to ask the Senator, in all reason, why should he leave out the legations? They are humanity. They are God's kind and your kindred and your brothers. Why not extend your guardianship and influence and authority over all—Germans, French, Italians, Dutch, and the like?

Mr. SHEPPARD. Our jurisdiction has not been extended that far yet, Mr. President.

Mr. MARTINE of New Jersey. I trust it never will be extended as far as the Senator desires with the American race.

Mr. SHEPPARD. We will leave that to the Senate and the American people.

Mr. PENROSE. Then, Mr. President, as I understand the Senator from Texas bases this discrimination largely on the ground that the foreigner is accustomed to the daily use of stimulants. Has he not a fellow feeling for the native American who may be accustomed to a similar habit, in New Jersey or elsewhere?

Mr. SHEPPARD. We have complete jurisdiction over our own citizens.

Mr. WEEKS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. SHEPPARD. Certainly.

Mr. WEEKS. It seems to me that this is a delicate question which might give rise to serious complications. If it is going to be discussed at length, I think the Senate should go into executive session. [Laughter.]

The PRESIDENT pro tempore. The Chair believes the motion is not seconded, if it is intended as a motion.

Mr. PENROSE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Pennsylvania?

Mr. SHEPPARD. I yield.

Mr. PENROSE. I should like to ask the Senator whether or not I am correctly informed that it is one of the doctrines of the Mohammedan faith that total abstinence is the rule?

Mr. SHEPPARD. I shall state to the Senator that I am not familiar with the Mohammedan faith.

Mr. PENROSE. I believe that is the case; and it is a question in my mind whether there should not be an exemption in the case of citizens of Turkey, who are not supposed at home to absorb this very liberal allowance of stimulants.

Mr. SHEPPARD. The Senator does great honor to the Turkish people.

Mr. PENROSE. I can not hear the Senator, but I have no doubt it is a very lucid statement.

Mr. GRONNA. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from North Dakota?

Mr. SHEPPARD. I yield to the Senator.

Mr. GRONNA. Mr. President, with the permission of the Senator from Texas, I want to say to the Senator from Pennsylvania that it is hardly necessary to go as far as to a Mohammedan country to find whether or not prohibition has done any good or whether it has been sustained in the countries where it is in effect. I wish to say to the Senator from Pennsylvania that I come from a State that has had prohibition for more than 25 years. The State of North Dakota, which I in part represent, has never had within its border since it became a State a licensed saloon. I do not think that the Senator from Pennsylvania, with his great ability—which we all recognize—with his splendid genius, should try to minimize legislation of this kind.

Mr. PENROSE. Will the Senator permit me?

Mr. GRONNA. Certainly.

Mr. PENROSE. I did not intend to minimize this legislation. I was, however, somewhat struck with what seemed to me to be an incongruity. I am glad the Senator from North Dakota has explained the condition in the Scandinavian countries, or, rather, in the State from which he comes. I think it applies to the country from which he originally came, that it is a very temperate country and the people are temperate. I do not intend to pursue the discussion any further. I want to assure the Senator that I realize fully the important character of the legislation.

Mr. GRONNA. While I do not have the floor and do not care to go into a lengthy discussion of this question, I wish to say to the Senate that I understand the Senator from Pennsylvania is in a state of confusion. I have not yet referred to the Scandinavian countries, although I am proud to say my people came from one of those countries some years ago. I am also proud to say, since the Senator has referred to it, that in that country they have practical prohibition now. In the State which I in part represent we have people who have come from the State of Pennsylvania, and I am only sorry we do not have more of them; we have people from every State in the Union; we have people from nearly every country of Europe; but they saw fit nearly 30 years ago to place in the constitution of our State the twentieth article, which provides that there shall not be manufactured or sold any intoxicating liquors. I want to say, not only to the Senator from Pennsylvania but to the Senate, that it has been one of the most beneficial laws upon our statute books; that it has done more to make North Dakota what it is to-day, one of the most prosperous States of the Union, than any other law on our statute books.

I hope that this important measure will be treated in the same manner, and that the Senators who have this important legislation in charge will be treated with the same courtesy that is due any other Senator who may have some other legislation in charge.

Mr. WADSWORTH. Mr. President, will the Senator from North Dakota yield for a question?

Mr. GRONNA. Yes; with the permission of the Senator from Texas.

Mr. SHEPPARD. Certainly.

The PRESIDENT pro tempore. May the Chair inquire if the Senator from Texas still has the floor. Having taken the chair during the discussion, the Chair is unable to determine.

Mr. GRONNA. The Senator from Texas has the floor.

Mr. SHEPPARD. I yield.

The PRESIDENT pro tempore. The Senator from Texas yields.

Mr. WADSWORTH. I simply desire to ask the Senator from North Dakota whether or not the State which he represents has a provision in its statute or in its constitution similar to the amendment which is now offered by the Senator from Texas?

Mr. GRONNA. No; Mr. President.

Mr. WADSWORTH. Will the Senator say that the people of North Dakota desire any such limitation upon the possession of liquor in their homes or if a limitation of this sort is necessary

for the proper enforcement of the prohibition law of North Dakota?

Mr. GRONNA. With the permission of the Senator from Texas—

Mr. SHEPPARD. Certainly.

Mr. GRONNA. I want to answer the Senator from New York that the prohibition clause in our constitution is very brief, and with his permission I shall read it.

Mr. SHEPPARD. I shall be glad to have the Senator read it.

Mr. GRONNA. I wish to say to the Senator from New York that no lawyer has been able during the 30 years this law has been in force to take from or to add a single thing to the law, and it has stood the test in all the courts of our State. Our constitution provides that—

No person, association, or corporation shall within the State manufacture for sale or gift any intoxicating liquors, and no person, association, or corporation shall import or ship into the State any intoxicating liquors for sale or gift, or keep or sell or offer the same for sale or gift, barter, or trade as a beverage.

That, Mr. President, does not permit any citizen of our State, or if he is a citizen of some other State, either to manufacture, sell, or give away any intoxicating liquor. I admit that it has been held by the courts and by the supreme court of our State that a person has the right to import liquors for his own use, but not for disposition in any other way.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The question is on the amendment submitted by the Senator from Texas [Mr. SHEPPARD].

Mr. UNDERWOOD. Mr. President, I do not desire to interfere with the efforts of the Senator from Texas to perfect amendments to this much-amended bill, but I do desire to get information with reference to the amendment. The Senator from Texas informed me several days ago that in the bill introduced by him there was nothing to prevent the importation of liquor into the District of Columbia for consumption. Now, he has offered an amendment limiting the importation of liquor into the District for consumption. On line 7, page 1, of the bill, he adds the following:

For sale or gift, import for sale, import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided.

The hereinafter provided is this:

No person shall, nor shall more than one member of a family occupying the same house, have in his possession—

Mr. SHEPPARD. If the Senator will permit me, some words were omitted that should be inserted there when the amendment was printed—the words “for personal use or gift” after the word “possession.”

Mr. UNDERWOOD. If the Senator will allow me, for personal use or gift—

Mr. DILLINGHAM. I wish the Senator from Texas would repeat his remark. We were unable to catch it.

Mr. SHEPPARD. We have not yet reached the amendment which the Senator from Alabama is reading now, and I had intended to call attention to the omission when we reached it in due order. After the word “possession,” in line 6, page 4, of the amendment which I presented yesterday, and which is on the desk of each Senator to-day, the words “for personal use or gift,” in line 6, page 4, after the word “possession,” should be inserted.

Mr. UNDERWOOD. With the amendment the Senator proposes to supplement the one that is now pending, the paragraph will read:

No person shall, nor shall more than one member of a family occupying the same house, have in his possession, for personal use or gift, receive, or accept delivery oftener than once a month from any railroad, steamboat, express company, or transportation company of any kind, or from any person whomsoever, any intoxicating liquors in excess of 1 quart of distilled liquor in a single container, or 1 gallon of beer, or 1 gallon of wine, except as herein otherwise provided. Every container in which such distilled liquor, wine, or beer is carried or transported, shall have on it a card not less than 12 inches long by 6 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents; but a container in which a quart or less is carried may have on it a card 6 inches long by 4 inches wide, upon which shall be stated in letters not less than 1 inch high the kind and quantity of its contents, and the consignee shall, before receiving the distilled liquor, wine, or beer, sign a record as herein provided, and shall make an affidavit that the said distilled liquor, wine, or beer will not be used in violation of the provision of this act.

Now, Mr. President, take that provision of the Senator's bill in connection with the provision in section 1 of the bill which fixes the penalties for a violation of this provision. On page 2, line 14 of the bill, we find the following penalty clause:

That any person, or persons, or any house, company, association, club, or corporation, his, its, or their agents, officers, clerks, or servants, who shall directly or indirectly violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$300 nor more than \$1,000, and shall be imprisoned in the District jail or workhouse for a period of not less than 30 days nor more than 1 year for each offense.

Mr. President, I have heard it said many times on the floor of the House of Representatives and in the Senate of the United States that the gentlemen who propose these prohibition measures did not propose to deprive the individual of his opportunity to take a drink of liquor, but that they were fighting the saloon; that they were fighting the manufacture of the beverage. Now, I think we should be honest. I think we should be truthful to the country. I do not think legislation ought to be passed through this body without the people of the United States understanding what it means. So far as I am concerned, I would far rather have a provision put in this bill prohibiting absolutely the importation of all liquor into this District than the trick and subterfuge that is now being inserted in the bill.

If you are opposed to men drinking liquor and you think it wrong, have the courage to stand up here and say they can not drink it. Have the honesty of purpose not to deceive a public into voting for a measure that will trick them into the penitentiary of the United States. If you are fighting the saloon, if you are fighting the manufacture of liquor, and you propose to allow the individual to have his drink if he wants it, then occupy your position, take it, and say that there you stand; but if you say, as some men do, it is morally wrong to take a drink of liquor it certainly is just as morally wrong to take one drink as it is to take two, just as morally wrong to have one quart of liquor in the house as it is a gallon. Why do you stop? Why do you not either be fish, flesh, or fowl? Why do you draw the line?

Now, here is what you are going to do. If you pass this bill and it becomes a law you are going to endanger the happiness and the liberties of citizens of the United States by the way the bill is constructed. You are going to endanger the happiness of the homes of this District, because just as sure as you pass this bill and put it on the statute books, inviting the citizens of the District of Columbia to import liquor from outside the District into this District for the purpose of consumption and then limit its use in the way that you have limited it in this bill, and then say that there is no discretion in the court, you leave no discretion in the honest judgment of those who preside over the District of Columbia to determine whether a man is attempting to run a blind tiger with malice aforethought to violate the law or whether it is accidentally violated. Under this bill a man may violate the law, without any intention to do what is wrong, it may be without realizing it, although I recognize that every citizen must know the law, and when he stands before the court he stands committed to a knowledge of the law, whether he knows it or not. But you know and I know many of the people of this District will not know this law.

Now, what is the trap you invite them into? The trap in the bill is this: You say that any one citizen of the District of Columbia can import for the purpose of drinking it a quart of liquor in his own house in a month, and no more. If two members of that household import a quart of liquor each into that house under the terms of the bill then they are guilty under the bill, and it is not discretionary with the court to say how far they are guilty. The only discretion in the court is to determine whether you will lock them up in jail for a month or a year. If a resident of this District under your law imports into his house a quart of liquor for personal consumption and does not tell his son about it, and then the son in the same house imports a quart of liquor into that house and does not tell the father about it, under the terms of this law as you propose to put it on the statute books both of them are guilty of a crime and both of them are subject to be sent to jail for not less than a month and possibly for a year.

I say to the Senator from Texas, if you propose to set a trap of that kind for the people of the District, you had far better face the proposition that you really believe in. This is merely thrown to the winds to catch votes.

I know what the Senator from Texas believes in; I believe I do. He can correct me if I misstate him. He does not believe there should be a drop of liquor drunk in the District of Columbia. Now, that is what he believes. I say, be honest with the people of the District of Columbia and do not set a trap for them. Put it in the bill and let us vote on it, if that is what you mean. If, on the other hand, you mean that what you pretend in this bill you are doing, that you are going to allow people to import liquor for beverage purposes, then do not set a trap that may send a whole family to jail.

I am not here to interfere, as I said the other day, with the management by the Senator from Texas of this bill. The position that I stand for is that the people of the District of Columbia should pass on this legislation before it is put into effect. But I do not propose to let this time pass without putting into the RECORD exactly what you are doing in reference to this measure. You can strike it all out, if you want to, and say

that no liquor shall come in here. Then let the Senate, if they determine—let the Congress, if they determine—say whether it will walk up and pass a law of that kind. That is what you mean and that is what you want. That is what you are driving at. If that is so, have the courage to stand up for your convictions; have the courage to fight for what you really mean. If you do not, do not try to put a substitute in here that is going to fool these people and possibly punish innocent men hereafter and destroy happy homes.

Mr. SHEPPARD. Mr. President, the liquor traffic never had an abler or truer defender in the Senate than the Senator from Alabama [Mr. UNDERWOOD]. He is exercised about this amendment of mine because it robs him of one of the chief arguments that could have been leveled against the bill. He talks about interfering with the liberty of the citizen. If we had brought a provision in here preventing a citizen from importing any liquor whatever, the argument would have been made that he would be deprived of one of his constitutional rights, and the bill itself might have been declared unconstitutional.

Of course, the Senator wants to have this amendment stricken from the bill. This amendment was inserted by me after consultation with men who have put a lifetime into the development of laws of this kind, and who advised me that a law like this was essential to the vitality and the integrity of a prohibitive measure. So I have no apologies to offer.

Mr. UNDERWOOD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield?

Mr. UNDERWOOD. I understood the Senator to take his seat.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. UNDERWOOD. Mr. President, because I stand for liberty of conscience and freedom of action it has not been an unusual thing for some people to apply the remarks that the Senator from Texas has just stated, that there was no truer defender of the liquor interests. I heard that ring through a whole campaign, and I heard the people of a great State repudiate it at the polls.

Mr. SHEPPARD. They did not repudiate it, if I understand the matter correctly.

Mr. UNDERWOOD. Yes; they did.

Mr. SHEPPARD. They elected the Senator on account of his great record and great services along other lines, did they not?

The PRESIDING OFFICER. The Senator from Texas will address the Chair and get permission to interrupt the Senator from Alabama.

Mr. UNDERWOOD. They repudiated what they knew was false, just as the Senator knows it is false.

Mr. SHEPPARD. I shall state that I do not know that is false.

Mr. UNDERWOOD. I challenge the Senator to put in the RECORD or make a statement that can sustain the statement he has just made.

Mr. SHEPPARD. Your attitude and arguments here sustain my statement. I do not need to put any additional proof in the RECORD.

The PRESIDING OFFICER. The Senator from Texas will address the Chair.

Mr. SHEPPARD. I beg pardon.

Mr. UNDERWOOD. I am perfectly willing to have the Chair preserve proper order, but I have no objection to the Senator interrupting me, because it comes right down to the fact. He speaks of the argument I have made. What is the argument I have made? I have challenged the Senator from Texas to stand on one side of this question or the other. I have challenged him to say there shall be no liquor drunk in this District, or if you are going to allow people to drink liquor to make a reasonable bill that has not got a trap in it. That is all the argument I have made.

Mr. SHEPPARD. May I ask the Senator if he believes a provision prohibiting the importation of any liquor into the District of Columbia for personal use or prohibiting a citizen of this District from ordering it for personal use would be constitutional?

Mr. UNDERWOOD. I do not see why.

Mr. SHEPPARD. I ask you, do you believe so?

Mr. UNDERWOOD. I believe myself in allowing each local community to decide this question for itself, but I know of no reason outside of what is now pending before the Supreme Court of the United States why it would not be constitutional.

The Senator says I am a defender of the liquor interests. It was only a few years ago the very people whom you represent were appealing to me when I occupied a position of some influence at the other end of the Capitol to give them an opportunity

to pass what is known as the Webb-Kenyon bill. I did it and I voted for it myself, because it was consistent with my principles. I said if a local community or a State desire absolutely to prohibit the importation of liquor into their State or community they ought to have a right to do it, and I believe it now. If the Webb-Kenyon bill is constitutional, then it would be constitutional to put a provision in here absolutely prohibiting the importation of liquor.

Mr. SHEPPARD. May I make a suggestion here?

Mr. UNDERWOOD. I yield to the Senator.

Mr. SHEPPARD. Is the Senator opposed to allowing the States to say under the method prescribed by the States themselves in the constitution whether the liquor traffic shall be prohibited throughout the Union?

Mr. UNDERWOOD. That statement is not worthy of the able intellect of the Senator from Texas. The Senator from Texas knows that there is a very great distinction between the question of submitting a bill involving the sale of liquor to a local community and the proposition of amending the fundamental principle, the Constitution of the United States. It is not a question of whether the people shall vote on it, and the Senator from Texas knows that. I have served for many years in the Congress of the United States with the Senator; I know he has an acute and able intellect, and, although he may make a statement of that kind to catch popular acclaim, the Senator knows as well as I do that the question involves a principle of representative government, the principle of not forcing on people sumptuary laws that do not meet with their approval; secondly, the proposition of not putting laws in force in a community that will not be carried out by the local government.

Mr. SHEPPARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Texas?

Mr. UNDERWOOD. I do.

Mr. SHEPPARD. The Senator from Alabama has heretofore announced himself as being opposed to the principle of the initiative and referendum?

Mr. UNDERWOOD. Certainly; and I am surprised that the Senator from Texas should put that statement as in opposition to the position I now take. The Senator from Texas undoubtedly understands the distinction between the proposition of an initiative and referendum and a referendum. The distinction is fundamental.

Mr. SHEPPARD. Mr. President—

Mr. UNDERWOOD. If the Senator will allow me to explain the distinction, it is fundamental; it is governmental. The referendum, as in this case, is the exercise of the legislative function of government by a representative body, leaving it to the happening of a condition as to whether or not it shall go into effect, and every local-option law is passed on that basis. The people do not legislate; this is not a pure democracy; but it is a representative democracy. That is the fundamental principle.

Mr. SHEPPARD. Now, Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Texas?

Mr. UNDERWOOD. I have not finished, but I will yield as soon as I make my explanation.

The legislative body, representing the people, create the legislation, and then they submit it to local communities to determine whether or not they desire to have it put into effect. It is not the creation of legislation by a local community; it is the mere happening of an event. For instance, if you were to declare that the President of the United States could order out the Army of the United States to take charge of all the railroads of this country if there were war declared, that would not justify him in ordering out the troops and taking charge of them until war was declared. That is the happening of an event to put your legislation into effect.

This referendum will ripen the legislation you are writing. To submit it to a referendum after you have perfected your legislation is merely the bringing about of the happening of an event as to whether the legislation shall go into effect, to wit, whether a majority of the people in the District of Columbia are in favor of it; but, on the other hand, when you come to the initiative and referendum, that does not contemplate the sifting through a legislative body; it does not contemplate making laws by the representatives of the people, by the men who are supposed to have the wisdom for enacting law; not at all.

The initiative contemplates that a certain number of people shall petition for a law, and that then it shall be submitted to the entire electorate to vote whether or not it shall be a law. What is the difference? When you have the initiative you have a small coterie sitting in a back office, probably a private room, locked in their own consciousness, to write the proposal of the

law without joint debate, without discussion, without opportunity of amendment, without the wisdom of many gathered, without the representative voices coming from distant parts of the community to be reflected in that legislation; but a small coterie preparing a proposal, then the carrying about of a petition to start the machinery to work, and then its ratification at the polls.

One is the reflected sentiment of the chosen men of the people, merely allowing the happening of an event to put it into effect; the other is the creation of legislation, possibly in a back room, by a band of tricksters sometimes, with no opportunity to amend, merely submitting an undigested question by petition to the masses of the people.

When you come down to petitions, what you do by petition always reminds me of something that happened to me 20 years ago, which shows the value of petition. When I came to Congress Mr. Cleveland was President of the United States, and I, belonging to his party, was the referee named to suggest the postmasters in my district. I did not look very much like a Representative; I suppose I had more the appearance of a beardless boy. I rode into a community one day where I happened to know a few friends. Whilst waiting for a train there a gentleman came to the crowd in which I was standing. He said he did not like to interrupt us, but he was in a hurry, and he would like for us to look at a petition he had. He said the postmaster at the town just above had died the day before; that there were two applicants for the position; that one was a man who was able to take care of himself and the other was a young lady who had to take care of her mother. He wanted to get a petition for the young lady signed; he passed it around the crowd and asked them to sign it. Some of them said they would sign it, and others said they would sign the other petition. Finally he got around to me. He had been introduced to me, but he evidently had not placed who I was. He asked me if I would not sign the petition. I said, "My friend, let me see it." He handed the petition to me. It was addressed to "The Hon. OSCAR W. UNDERWOOD, Member of Congress from the ninth Alabama district," and it stated: "We, the undersigned petitioners, patrons of the post office"—at the town he came from—"respectfully request you to use your efforts to have"—the young lady named—"appointed postmistress." "Well," I said, "my friend, I can not sign this petition. I live in Birmingham; I am not a patron of your post office, and so I can not sign it." "Oh," he said, "that does not make any difference. Sign it. I am getting everybody to sign this petition, niggers and all. That blamed Congressman will not know who signed it when he gets it." [Laughter.]

That is in keeping with the Senator's proposal about an initiative. There may be some petitions signed with intelligence and an intelligent understanding of what they contain; but the vast number of petitions, you know and I know, are signed to get rid of the man who presents them. I am not in favor of making laws along that line; but I do say that it is perfectly legitimate for a legislative body to use the power of the referendum. That power is contemplated in the Constitution itself. There is a referendum under every amendment that the Congress of the United States offers to the Constitution of the United States. There are many other instances in the National Government and in the State governments where a proper referendum can be exercised. That is what I stand for, and not for an indiscriminate initiative.

So my position in not favoring an initiative and referendum is in nowise in conflict with my desire that the people of the District of Columbia may have an opportunity to pass on a bill which the Senator from Texas himself has amended in vital ways every time that it has come before the Senate for consideration, and his mind does not seem to be yet fixed on what he ought to do for the people of the District of Columbia on this subject.

I did not rise to make this long speech on this subject; but I am perfectly willing for the Senator from Texas to reflect on me, if he wants to, when I stand for what I believe is the principle of liberty, of free government, and to say that I am doing it for an ulterior purpose and in the interest of persons with whom I have never had any connection, either directly or indirectly, in my life.

More than that, so far as I am personally concerned, I do not care whether you pour every drop of liquor you have got in this District into the gutter; it is no concern of mine; but if the Senator from Texas thinks he makes headway whenever anybody opposes his propaganda, or the propaganda of those he follows, by attempting to reflect on their private character or their personal motives I give him free liberty to exercise that right, so far as I am concerned, during the balance of this debate.

Mr. SHEPPARD. Mr. President, I intend no personal reflection on the Senator from Alabama. I say that the effect of

his course and attitude here is to make him one of the most powerful champions of the liquor traffic in the United States. I say that is the logical effect of the attitude he assumes here and has assumed elsewhere.

Mr. UNDERWOOD. But I ask the Senator from Texas to make his bill clear, and either say that these people shall drink or that they shall not drink, so that it shall not set a trap for them. Is that in the interest of the liquor traffic?

Mr. SHEPPARD. It is the Senator from Alabama who is attempting to set the trap.

Mr. UNDERWOOD. Where is the trap? Is it not clear that you are advocating a bill here under which thousands of people may be entrapped and punished?

Mr. SHEPPARD. No. The trap of the Senator from Alabama is, if possible, to have a law passed here that may be declared unconstitutional.

Mr. UNDERWOOD. There is not anything of appeal in that. The Senator from Texas is captious in that statement. The real issue as to whether or not a bill of that kind would be constitutional is before the Supreme Court of the United States to-day.

I voted for the Webb-Kenyon bill to prevent the shipment of liquor into "dry" territory. Of course, at that time I was not "making the ablest arguments for the liquor interests," but, according to the Senator from Texas, I was merely exercising my individual right.

Mr. THOMAS. Mr. President—

Mr. UNDERWOOD. Just one word, if the Senator please. But if that bill should be declared constitutional—the whole question is involved there—then you could say that not one drop of liquor shall cross the State line.

Mr. SHEPPARD. There will be time enough to amend the bill then.

Mr. UNDERWOOD. But if it is declared unconstitutional, then the legislation which the Senator is proposing to-day is of no avail, and liquor can flow across in rivers full. The Senator knows that as well as I do.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Colorado?

Mr. UNDERWOOD. I do.

Mr. THOMAS. Mr. President, I am very much interested in the Senator's argument and am in entire sympathy with his proposition to submit this important question to the people of the District, if it can be done. From the attitude which the Senator occupies he believes that it is within our power to do so; but that is a question which is and has been troubling me very seriously since I listened to the Senator from Washington [Mr. JONES] last March, who then delivered an address upon the subject and sustained his assertion that Congress was without power to submit a referendum of this kind to the people of the District of Columbia by a system of reasoning and authorities which to my mind was convincing. If I can learn of, or if my attention can be brought to, any decisions or to any line of reasoning which will upset the force and effect upon my mind, and consequently upon my judgment, of that argument, I should be more than glad to have it. I have no doubt that the Senator from Alabama has given much thought to the subject, because he is the author of the proposed amendment to this bill by which a referendum is sought to be secured.

My understanding of the law upon this subject, as a general proposition, is that the power to legislate can not be delegated either for purposes of initiation or reference as to general legislation in the absence of some constitutional provision permitting it or some provision which reserves that right to the people. I am aware also of the fact that legislation can be made dependent upon the happening of some future event, some contingency; but the authorities with which the Senator from Washington fortified his argument comprise a large number of decisions from the courts of last resort, which declare, I think without exception, that the contingency can not be one—of course, in the absence of constitutional provision—created by the legislature itself; and, of course, the submission of a law to the vote of the people would be a contingency created by the act of the legislature.

One of the leading cases upon the subject—and I am reading from page 4387 of the Record of the last session of Congress—as quoted in the argument of the Senator from Washington, is from the State of Iowa, from which I read this extract:

We will first consider the question relating to the submission of an act to a vote of the people; and on this subject we entertain no doubts. The general assembly can not legally submit to the people the proposition whether an act should become a law or not, and the people have no power, in their primary or individual capacity, to make laws. They

do this by representatives. There is no doubt of the authority of the legislature to pass an act to take effect upon a contingency. But what is a contingency in this sense and connection? It is some event independent of the will of the law-making power, as exercised in making the law, or some event over which the legislature has not control.

For instance, the embargo laws and their cessation were made to depend upon the action of foreign powers in relation to certain decrees. The will of the lawmaker is not a contingency in relation to himself. It may be such in relation to another and external power, but to call it so in relation to himself is an abuse of language. Now, if the people are to say whether or not an act shall become a law, they become, or are put in the place of, the lawmaker. And here is the constitutional objection. Their will is not a contingency upon which certain things are or are not to be done under the law, but it becomes the determining power whether such shall be the law or not.

Since listening to the Senator's argument I had occasion to examine the question myself, my object being to discover exceptions to the broad principle laid down by the Supreme Court of Iowa and sustained by a number of decisions of the courts elsewhere. I have been unable to find them, and am therefore constrained to believe that they do not exist, always bearing in mind the fundamental distinction between legislation local in character and legislation of a general nature.

If to that be added the reflection that the Constitution of the United States confers upon Congress the exclusive legislative power—and I think perhaps that imposes the broadest authority and jurisdiction over legislative matters which can be found in any of our constitutions—I am unable to accept the view that Congress has power to submit this question or any other legislative question to a vote of the people of the District of Columbia for their determination.

I regret that the Senator from Alabama has retired from the Chamber, because my purpose in rising was not to address the Senate upon the bill, but to ask the Senator whether he could furnish any authority or supply any line of reasoning to overcome what seems to me the general trend of American constitutional law upon this very important subject. If he can, I should be very greatly pleased to receive it and will gladly act in accordance with its conclusions.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I am practically through, Mr. President.

Mr. UNDERWOOD. If the Senator will allow me just to say a word, I was called out of the Chamber for a moment during the Senator's argument and did not hear all he had to say.

Mr. THOMAS. It was not an argument, but merely a statement that I wished to call to the Senator's attention in the hope that he might give me some further enlightenment.

Mr. UNDERWOOD. I will say to the Senator that I think I can. I have some authorities on the question which I expect to present to the Senate when I offer my substitute, but I have not them in hand right now, and do not care to go into a part of the argument without going into it all.

Mr. THOMAS. Of course, any time before the final vote is taken will be ample for my purposes. I very gladly yield the floor to the Senator from Utah.

Mr. SUTHERLAND. Mr. President, I desire to ask the Senator a question. The Senator has been discussing a phase of this matter that has given me a great deal of trouble.

Mr. THOMAS. I have not discussed it; I have merely called the attention of the Senator from Alabama to it and to my opinion concerning the power of Congress to submit the question.

Mr. SUTHERLAND. The Senator has indicated the difficulty with the matter that is in my own mind, namely, as to whether or not this constitutes a delegation of the lawmaking power, and, second, whether or not in this particular instance it is within the competency of Congress to do that.

The question I wanted to ask the Senator was this: Whether or not he thinks that Congress in governing the District of Columbia is exercising its legislative power or whether it is proceeding under a general power to govern the District, which power is without limitation, substantially as in the case of the Territories. For example, when Colorado was a Territory and when my own State was a Territory, the Senator knows that local legislative bodies were created with the full power to pass laws. If that constituted a delegation of the lawmaking power and Congress was forbidden to do it, I can not see upon what theory that action could be upheld at that time. The language of the Constitution with reference to the District of Columbia is:

To exercise exclusive legislation in all cases whatsoever over such District (not exceeding 10 miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States.

That seems to confer very broadly on Congress the power to govern the District. We know that in doing so it is not bound in many particulars by the general provisions of the Constitution. For example, with reference to the judiciary, Congress

can provide, undoubtedly, for the District of Columbia that judges shall be appointed to hold office for a limited period of time—for four years, for instance—as was done in the case of the Territories; and yet the general provision of the Constitution is that judges must hold their offices during good behavior. In the case of the Territories, however, that did not apply, and it does not apply, I take it, in the case of the District of Columbia. I do not know whether I make the point very clear to the Senator—

Mr. THOMAS. I think I understand the Senator.

Mr. SUTHERLAND. But I should like to hear the Senator's view about that distinction.

Mr. THOMAS. The question is a very interesting one. To answer it offhand is perhaps a little hazardous; but I can perceive a distinction between that power which the Constitution confers upon Congress with regard to the District of Columbia and that power which it exercises over the national territory or domain when it creates temporary governments which we call Territories, and clothes them with certain legislative, executive, and judicial authority. The District of Columbia is in one sense a Territory, but in one sense only; that is to say that it is not a part of any State. It has a government to itself, and its citizens are not citizens of the United States in the sense that they can sue or be sued in the courts of the United States or exercise the elective franchise in a general election. I think that the provision of the Constitution which confers upon Congress exclusive legislative authority over the District includes the power to govern that District, and until I am further enlightened I shall be constrained to the view that the exclusive legislation to which the Constitution refers is the source of the authority under which we are now acting. Our general power to govern the District to which the Senator refers does not, in my judgment, authorize the exercise of any authority over the District which must be expressed in legislation.

Mr. WORKS. Mr. President, the debate has wandered off from the real question that is before the Senate, namely, the amendment offered by the Senator from Texas. The amendment offered by the Senator, and others of a like kind, are attempts to modify the terms of this bill in a way which, to my sense, is a compromise with evil. I am one who believes in absolute prohibition. I believe that if it is wrong for a man to sell intoxicating liquors to another upon which he may get drunk, it is equally wrong for the man to get drunk on that liquor. I think it is entirely out of place to undertake to punish the man who sells the liquor and to allow the man who uses it to go unpunished; and I think the Senator from Alabama is perfectly right when he says we ought to be honest and sincere, not only with the people of the District of Columbia but with the people of this country, when we come to deal with this question.

It is for that reason that I have been disappointed in the terms of the bill that is now before the Senate. There seems to be a disposition on the part of some Senators to preserve the right on the part of a citizen to give away liquors in his own home—not only to use them himself but to give them to others. But it has been my misfortune to be present at a good many banquets, public and private, where I have seen a good many men get drunk on liquors given to them by their hosts. Why should a man be preserved and protected in that right any more than the man who sells the liquor over the counter in a saloon?

I should have been glad to see a bill presented here forbidding absolutely the sale, giving away, manufacture, or use of intoxicating liquors, without exception. That would have been in accordance with my convictions on the subject. Of course, I would vote for a bill going part way, because I believe it is in the right direction; but I should regret that it does not go further.

Why do we forbid the manufacture of intoxicating liquor? Is it only to prevent somebody from selling or giving it away, or is it to prevent somebody from using it? The only evil of the manufacture of intoxicating liquors is not that they are sold or given away by somebody, but that somebody else uses them and becomes addicted to the habit of drink, which destroys the lives of thousands of the people of this country. To my mind it is perfectly inconsistent that we should legislate here simply for the purpose of preventing the selling or giving away of intoxicating liquor and not extend that legislation in such way as to prevent the use of it.

Mr. President, the question of submitting this matter to a vote of the people has been discussed here. It is not now directly before the Senate. I presume it will be, and I am not going to say very much about it at this time, although I may say more about it later on; but I want to suggest this one thing: Independently of the question as to whether Congress has any right under the Constitution to refer this matter of

legislation to the people of the District of Columbia, I insist that the people of the District of Columbia have no right to settle that question for the United States. This Capital does not belong to the people living in the District of Columbia. The people in my State have an interest in their Capital. They are just as much interested in seeing it clean and decent and moral as are the people who live here in the District of Columbia, except that the people here are brought into closer contact with the evil; and if there should be a reference of this matter it should not be alone to the people of the District of Columbia, but to the whole people of the United States, as this is the National Capital.

Mr. LEE of Maryland. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Maryland?

Mr. WORKS. I do.

Mr. LEE of Maryland. I should like to inquire of the Senator whether Congress in governing the District has not already, as a general principle, recognized residence in the District in numerous instances, and particularly in reference to the executive body which actually carries on the affairs of the District, namely, the District Commissioners, and required that they should be bona fide residents of the District for a certain fixed period?

Mr. WORKS. The people of the District of Columbia are recognized principally for the purpose of collecting taxes from them to carry on the affairs of the District of Columbia. They have no right to vote. They have no control over affairs in the District. They are not recognized in any sense as being a part of the government of the District. The provision that the commissioners shall be selected from persons living within the District is simply a regulation provided by Congress. It does not affect the question, so far as I can see.

Mr. President, I am not going to take up further time in discussing the question which is now before the Senate. I only desired to express my own views about it, which may be regarded by a good many people as being radical; but they are my earnest convictions, radical or not.

Mr. LEE of Maryland. Mr. President, the pending amendment is one of a series of amendments which are proposed to be offered by the Senator from Texas in perfecting the bill which is now before the Senate.

In the State of Maryland for many years—I might say for a generation or so—we have had under discussion the question of local votes on legislation limiting the use of alcoholic liquors, and we have developed a settled policy or habit in that State of permitting a local vote on that subject whenever demanded by the representatives of a locality in the legislature. This is a liberal policy, and whenever it has been departed from it has caused friction, to say the least. There has been discussion as to what the size of the unit should be in which this vote should take place in our State, but the final adjustment of that question seems to be that it should be a unit which might be called a police unit, in which there is a police power which would regulate or enforce the provisions of the bill if it goes into operation.

Mr. President, in respect to this law, with all due respect to the Senator from Colorado [Mr. THOMAS], I think the legislation, the writing of the law, is going on right here. That is the meaning of the word "legislate"—to write the law. This body has a perfect right, as I see the constitutional situation, to postpone the operation of the law it writes until some definite time or event in the future, the event being, say, the determination whether public sentiment in the community to be affected favors or is opposed to the execution of such a statute, it being well understood as a matter of common sense and sound democratic doctrine that, generally speaking, there is no wisdom in imposing upon any community the execution of a statute where a majority of the people of that community are opposed to the statute. So the ascertaining of the state of mind of the community to be affected is an essential feature of the operative character of the statute under consideration.

This law is being written here to-day; and I differ with the Senator from Alabama [Mr. UNDERWOOD] in respect to his attitude toward the amendments of the Senator from Texas, because in writing such a law under the usage in the State of Maryland we would accord to the proponents the largest degree of latitude in perfecting the measure that they propose to submit to a community for an expression of public approval or disapproval.

Mr. President, I expect, following the habit of my State and until some better way is suggested, to vote for a referendum on this measure to ascertain the state of public sentiment in the community that it is to affect, the District of Columbia,

and to postpone its operation until the state of mind of that community is ascertained to be favorable to the law. I concede that it is a part of that doctrine or principle as far as possible to leave to the proponents of the law the details of perfecting the law, reserving, of course, the right to object to anything unconstitutional, inconsistent, or manifestly wrong. But, generally speaking, the proponents of such a statute as this, where it is proposed at the same time to require a favorable vote in the future before the law can go into operation, should be allowed the broadest latitude in perfecting the details of the bill.

Mr. VARDAMAN. Mr. President, the question of prohibition is an old issue with me. It has been an issue in the State of Mississippi for a number of years. The first ballot I ever cast was in favor of prohibition. In those days to be a prohibitionist meant a fight for every inch of ground the prohibitionist stood upon. We undertook first to solve this problem by local option. The liquor traffic had a great hold upon the people. The foolish argument that it was sumptuary legislation and the beginning of a régime which would ultimately lead to unbearable proscriptions had a powerful influence upon the thoughtless, democratic mind. We made headway slowly, but by persistent efforts—appealing to the good judgment and common sense of the most—we finally succeeded in driving whisky out of every county in the State except about seven. In those days I believed myself that the matter ought to be determined by the voters of the counties where the liquor was sold. I held the erroneous view that if a man wanted to go to perdition and carry his family with him he should not be molested or restrained in his folly. Yes; I believed in local option; but the sentiment grew, and my mind and soul expanded with it, and when I became convinced of the far-reaching deleterious effects, morally, physically, and politically, which emanated from the open saloon, I changed my conduct. Those seven counties that persisted in the nefarious business of selling liquor became festering sores. Their poisonous influences were felt beyond the county lines, like "the foul breath of the upas tree"—everything that came within the purview of its pernicious influence was injured. So in order to rid the State of the plague the legislature passed a State-wide prohibition law, and the saloons in those unfortunate counties were closed, I hope, forever. That was about eight years ago. Mr. President, I do not exaggerate when I say that in those counties that had prohibition forced upon them not 15 per cent of the white voters, if the question were again submitted, would vote for the return of the saloon. As long as the whisky interests control the community there will be advocates of the saloon in that community. The presence of the saloon seems to be able to stifle the nobler qualities of the mind and paralyze the better aspirations of the soul.

Much as I dislike to differ from the distinguished Senator from Alabama [Mr. UNDERWOOD], I can not agree that the people of the District of Columbia have any right to vote on this question at all, or any other question touching the government of the District of Columbia. As has been so well said by the able Senator from California [Mr. WORKS], this District belongs to the American people, and the Congress should enact law for its government. Suppose, for instance, the people of Washington should desire to make it a gay place, a kind of Monte Carlo, open up gambling hells and dens of vice and iniquity in order to attract the meretricious multitude that infest such places. Does the able Senator believe that the American people would tolerate such a condition of things at the Capital of this Nation? Or would he be willing to submit the question of permitting them to do that to voters of the District? No; he would not. The citizens of this city came here with the understanding that this territory was under the control of the Federal Government, set apart for the National Capital, and it is the duty of the Congress to govern the city of Washington as the Capital of the Nation. I think Washington ought to be made the model city of America. I want it clean morally as well as physically. I want it to be a city set upon the hill, leading all of America by the excellency of its splendid example. I am willing for it to grow commercially, but as to that feature I am not much interested. I desire its parks and its statuary, its architecture, beautiful drives, and clear lakes to be the finest in all the world. I should like to have it the most beautiful city in all the hemisphere. I would have everything here calculated to develop the ethical nature and satisfy the tastes of our people. I want its moral and intellectual atmosphere so clean and pure that none can come from the country around about without feeling its stimulating effect. In a word, Mr. President, I want to see it a city suited in all respects for the Capital of the greatest Nation and the most enlightened Government beneath the stars to-day. But it can never reach that eminence—it can not accomplish that which I

would have it accomplish as long as these places of infamy are kept open and recognized as legitimate. Washington ought to reflect everything that is good in this Republic. It should body forth in its art the aspirations of our people. Its government should exemplify the moral progress of our people in governmental matters, and its intellectual and moral atmosphere should be the essence of the ethical and intellectual attributes of the entire people. The greater part of the area of this country is saloonless to-day. A majority of our population live in dry territory. The consensus of opinion of the civilized world is that whisky is a curse—the most insidious enemy to the human race of which we have any knowledge. I repeat, Mr. President, that it is not becoming the Capital of this Nation for the open saloon to exist here, for this acknowledged enemy to society to exist with the consent of the Congress, notwithstanding the fact that a large majority of the people residing here favor it.

A great many people come to Washington to live for the purpose of having a good time and to spend money made by somebody else's toil. And, unfortunately, a great many of them can not have a good time unless they have something to drink. The social lies that warp us from the living truth is doubtless responsible for this vitiated taste and distorted view of life. There is no place in this city for the saloon. A decent regard for the national sentiment demands that the saloon be closed. The amount of liquor for the consumer ought to be limited, not to hurt the business of the seller but to save the body and soul of the buyer. In my State when we first adopted State-wide prohibition the amount of liquor the consumer might buy was not limited. A man could send off and get as many gallons of whisky for his own consumption as he desired. But, as I stated before, when the people are rid of the pernicious influence of the drink habit, sentiment in favor of more prohibition grows. The soberer the community is the more drastic the prohibition laws. The last Legislature of Mississippi passed a bill limiting the amount of whisky that could be shipped to one person in one month to 2 quarts. It may interest Senators, and I will read the Mississippi statute. I read:

QUANTITY OF LIQUORS THAT MAY BE POSSESSED AT ONE TIME.

SEC. 9. (a) That it shall be unlawful for any person to receive, accept delivery of, possess, or have in his possession at one time, or within any period of 15 consecutive days, whether in one or more places, or whether in original packages or otherwise, (1) more than one-half gallon of vinous liquors, or (2) more than 3 gallons (24 pints) of malted liquors or fermented liquors, such as beer, lager beer, ale, porter, or other similar fermented liquors, either in bottles or other receptacles, or (3) more than 1 quart of spirituous or other intoxicating liquors beyond those named in subdivisions 1 and 2 above, or (4) more than one kind of the three kinds of liquors, as hereinbefore classified, either at one time or within said period of 15 days, and whether in original packages or otherwise.

Mr. President, I shall have more to say on this question when the amendment offered by the distinguished Senator from Alabama [Mr. UNDERWOOD] is up for discussion. I will say, in conclusion, however, that I think it eminently unfortunate that this grave question affecting so vitally the good name of the Nation's Capital, the moral, mental, and physical well-being of the people of Washington, and I might say all the entire Nation, should be submitted to the people of Washington for settlement among a hundred thousand negroes, whose well-known leaning to the saloons and the purchasable quality of the voter, are to cast the deciding vote.

Mr. SHEPPARD. Mr. President, will the Senator permit me?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Texas?

Mr. VARDAMAN. I do.

Mr. SHEPPARD. I was very much gratified to have the Senator quote the law of the State of Mississippi limiting the amount of liquor which may be imported by individuals at different times. I wish that all the Senators could have heard the Mississippi law read, and I am glad the Senator read it.

Mr. VARDAMAN. The supreme court of my State, I think, has recently held this law constitutional and valid.

Mr. SHEPPARD. I shall ask the Senator if similar laws have not been enacted in various other States?

Mr. VARDAMAN. I think so. My understanding is a law similar in character has been enacted in Alabama, the home of the distinguished author of the proposed referendum amendment. I know such a law was proposed there and, I think, enacted. It is a very fine law, and in Mississippi has worked like a charm in destroying the blind tiger. The whisky advocates outside the State of Mississippi undertook to destroy this law by kiting it onto an unpopular measure and referring it to the people at the November election under a provision of our constitution recently inserted. I was called from the national campaign to Mississippi to discuss this question before the people of my State. I traveled over a great deal of the State,

and I do not hesitate to say that I have never known the white people so aroused, so indignant at the impudence and effrontery of the men who were trying to defeat this righteous law. The matter never came to a vote, I am sorry to say, because the supreme court in a decision held that the act was not reviewable by a referendum clause in the constitution because it was enacted by the State legislature before the referendum was inserted in the constitution. But I believe, Mr. President, if the question had gone to a vote, that the law would have been approved and upheld by a majority of more than 16 to 1.

Mr. JONES. Mr. President, I simply want to call attention to the provisions of the prohibitory law of the State of Washington as bearing upon the amendment proposed by the Senator from Texas [Mr. SHEPPARD].

The Senator from California [Mr. WORKS] expressed my personal views with reference to this matter, and I am not going to repeat them. I should like to see all intoxicants prohibited from the District; but I recognize that these great reforms come a step at a time, and that we have to make concessions in order to secure progress.

The provisions of the bill before the amendment proposed by the Senator allowed the bringing into the District of unlimited quantities of liquor by individuals for their personal use. The amendment that is proposed by the Senator from Texas simply limits the amount that may be brought in for that purpose. It does not prevent a person from bringing in liquor for his personal use, but simply limits the amount that can be brought in, and imposes certain restrictions, as I understand it.

Mr. UNDERWOOD. Mr. President, will the Senator yield for a question?

Mr. JONES. Yes.

Mr. UNDERWOOD. A great many States have adopted amendments limiting the amount of liquor that can be shipped into the State to one individual, but I do not know of any proposal which has ever been made before by any law on the statute books to limit the amount that can be shipped into one house. I am not trying to interfere with the gentlemen who are preparing this bill. What I propose to do is to try and submit it to the people; but it seems to me the absolute injustice and danger of the Senator's amendment as it stands is that you do not say to the individual, "You are limited to the use of 1 quart of liquor a month," but you say, "That is the only quart of liquor that can come into your household," and if the master of the household brings in a quart without informing the servant and the servant without informing the master brings a quart into that household you make it a crime, and you leave no discretion to the court in a case of that kind. You make it a crime, and both of them must go to jail for 30 days.

It seems to me that is a very dangerous law to put on the statute books and a very unjust law. It would be protecting the people of this District far better, if you think they should not drink liquor, to say that no man shall drink, than to set what I call a trap—and I say that without intending to reflect on the men that propose this. It will work as a trap when you say that only 1 quart of liquor shall go into one house, and you do not even say that they shall not be guilty if they do not have knowledge of the other quart going in there. You make a man commit a crime when he does not know that he is committing a crime, and when you have invited him to commit a crime.

I say that that is a very dangerous amendment, even for men who think as the Senator from Washington thinks, to foist on any community.

Mr. JONES. Mr. President, I recognize the force of the suggestion of the Senator from Alabama. I have not had an opportunity to examine carefully the terms of the amendment proposed by the Senator from Texas, and I was not intending to direct my remarks to the particular terms of the amendment. It may be that it ought to be changed. It may be that it ought to be modified. What I intended to call attention to was the fact that in many of the prohibition States they have imposed a limitation upon the amount that can be brought in. As to the terms of that limitation, the method by which it is brought about, of course, it ought to be just as plain as possible, and it ought to be framed in such a way as not to make likely the conditions or circumstances that the Senator from Alabama has pointed out.

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Mississippi?

Mr. JONES. Yes.

Mr. VARDAMAN. I was just going to suggest, to meet the objection of the Senator from Alabama, that we do not want any trap; we want this open and above board; we want it so that when a man violates the law he knows it. I am going to ask the Senator from Texas [Mr. SHEPPARD] to amend his bill

and have the limit on the amount brought in apply to the individual rather than to the house, and then probably the Senator from Alabama will support the bill. It would be fine if we could have the great weight of his moral influence for the measure.

Mr. UNDERWOOD. I will say to the Senator from Mississippi that I have not occupied the position of resisting the efforts of the Senator to perfect his amendment or to write the bill in the way he thinks is proper. The only thing I am contending for here is that the people of the District of Columbia should have a voice in the matter. I merely thought, and believe now, that the language which the Senator from Texas is proposing is a very dangerous proposition for innocent people—I mean, people to whom it is held out that they can buy a quart of liquor—and then, because it is limited to the household, if two of them buy it they might be prosecuted and sent to jail.

Mr. VARDAMAN. I think, if the Senator from Washington will permit me, that the Senator from Alabama is playing in a very exalted rôle just now. His conduct in this matter reminds me of the wise man who said:

It is a kindness to lead the sober; a duty to lead the drunk.

I think the Senator from Alabama is engaged in a pretty good business in protecting the man who wants liquor from getting in a trap, and therefore I am going to insist that the Senator from Texas amend the bill so as to remove that trap.

Mr. SHEPPARD. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Washington yield?

Mr. JONES. I yield.

Mr. SHEPPARD. In view of the remarkable solicitude of the Senator from Alabama for a proper bill I shall be glad to withdraw that clause or to move that it be stricken out when we reach the amendment. I am endeavoring to secure a workable amendment and to meet every legitimate objection if possible.

Mr. JONES. Mr. President, I think I appreciate the position of the Senator from Alabama. I know the principal issue to his mind is the question of referring the matter to the people of the District. I think it is well enough that dangers or ambiguities connected with any amendment that is offered shall be pointed out and I am very glad to have him point them out so far as I am concerned.

The Washington law, section 6262-4 of the Remington 1915 Codes and Statutes, reads as follows:

Manufacture, sale, or gift prohibited. It shall be unlawful for any person to manufacture, sell, barter, exchange, give away, furnish, or otherwise dispose of any intoxicating liquor, or to keep any intoxicating liquor, with intent to sell, barter, exchange, give away, furnish, or otherwise dispose of the same, except as in this act provided: *Provided, however,* That it shall not be unlawful for a person to give away intoxicating liquor, to be drunk on the premises, to a guest in his private dwelling or apartment, which is not a place of public resort.

That is the general prohibition section. Section 6262-15 reads as follows:

Permits for shipment of liquors.

This section covers the proposition, as I understand it, that is intended to be covered by the amendment now proposed by the Senator from Texas. I simply read it so that Senators may be advised as to the provisions of the law in our State:

Sec. 6262-15. Permits for shipment of liquors. The county auditor of each county within this State shall procure and keep, as a part of the records of his office, a well-bound book of blank applications for permits to ship or transport intoxicating liquor. Any person desiring to ship or transport any intoxicating liquor shall personally appear before the county auditor and shall furnish him the necessary information to fill in a blank application, which application shall contain the name of the applicant, the statement that he is over 21 years of age, the person, firm, or corporation from whom said shipment is to be made, the place from which said shipment is to be made, and to what point the same is to be made, a statement that the applicant is not the holder of any internal-revenue special-tax stamp or receipt from the United States Government, authorizing him to sell or to deal in intoxicating liquor, and a statement that he has not theretofore been convicted of any violation of the laws of the State relating to intoxicating liquor. Such facts shall be incorporated by the county auditor in one of said blank applications, and said application shall be signed by the applicant and sworn to by him before the county auditor or his deputy. Upon the applicant signing said application and taking the necessary oath thereto, the auditor shall issue a permit for the shipment or transportation of intoxicating liquor. Such permit shall be printed upon some shade of red paper, and shall be substantially in the following form.

I ask to have that printed without reading.

The PRESIDENT pro tempore. Without objection it will be so ordered.

Mr. JONES. I think I will read it because it sets out the amount that can be brought in:

STATE OF WASHINGTON, County of _____, ss:

_____, residing at _____, is hereby permitted to ship or transport from _____, in the State of _____, to _____, in the county of _____, State of Washington, intoxicating liquor to wit: _____ (insert kind and quantity, not exceeding in quantity one-half gallon of intoxicating

liquor other than beer, or 12 quarts of beer or 24 pints of beer). This permit can only be used for one shipment and will be void after 30 days from the date of issue.

Dated this _____ day of _____ 19____.

County Auditor.

I heard some one suggest that the requirement of this amendment in reference to having printed upon the shipment that comes in here certain things, in letters of a certain size, was hardly proper, and yet here is what our law requires in regard to the bringing in of liquor from outside:

This permit—

Which has just been described, that must be printed on some form of red paper—

This permit shall be attached to and plainly affixed in a conspicuous place to any package or parcel containing intoxicating liquor, transported or shipped within the State of Washington, and when so affixed shall authorize any railroad company, express company, transportation company, common carrier, or any person, firm, or corporation operating any boat, launch, or vehicle for the transportation of goods, wares, and merchandise within the State of Washington, to transport, ship, or carry not to exceed one-half gallon of intoxicating liquor other than beer or 12 quarts or 24 pints of beer. Any person so transporting such intoxicating liquor shall, before the delivery of such package or parcel of intoxicating liquor, cancel said permit and so deface the same that it can not be used again. It shall be unlawful for any person to ship, carry, or transport any intoxicating liquor within the State without having attached thereto or to the package or parcel containing the same such permit, or to transport or ship under said permit an amount in excess of the amount or quantity hereinbefore limited. Any applicant desiring to have a permit issued to him under the terms hereof shall pay to the county auditor issuing the same the sum of 25 cents, which sum shall be accounted for by such auditor as other fees of his office. This section shall not apply to registered druggists or pharmacists actually engaged in business within the State.

Sec. 6262-16. One permit in 20 days: It shall be unlawful for any person to take out or have issued to him more than one permit, as provided for in the preceding section, in any 20-day period. This section shall not apply to registered druggists or pharmacists actually in business within the State.

Mr. President, it seems to me if we are going to have a regulation with reference to the amount which may be brought in for personal use, the provision in our State is a very good provision. Possibly it might be well, in view of suggestions made, that there should be some modification along the line suggested by the Senator from Mississippi in the amendment proposed, although I have not had time to examine the amendment carefully enough to see whether even that modification ought to be made. I simply read it to show what the proceeding is in our State, where we have passed a prohibitory measure, to allow liquor to be brought into the State for personal consumption.

Mr. BORAH. Mr. President, when the statement of the Senator from Alabama was first made I was impressed with the force of his argument. I had not at that time carefully read the amendment. Since reading the amendment I do not think that the charge of a trap is a just charge as against this amendment. I do not believe that there is any reasonable ground for assuming that an innocent person would be punished under the amendment. If this kind of a limitation is to be had at all, I would have some difficulty myself in knowing how to draw an amendment which would more accurately express what the mover undoubtedly intends or which would more thoroughly protect anyone who desires to act in good faith under the law.

Let us see, Mr. President, for a moment, because I am not going to discuss it at length.

No person shall, nor shall more than one member of a family—

I presume that means a member of the family and not a servant or employee—

No person shall, nor shall more than one member of a family occupying the same house, have in his possession, receive, or accept delivery of more than once a month from any railroad, steamboat, express company, or transportation company of any kind, or from any person whomsoever, any intoxicating liquors in excess of one quart of distilled liquor in a single container.

Then it goes on to describe the amount of liquor which he may have and the designation which must be placed upon the vessel or bottle containing it. Then it says:

And the consignee shall, before receiving the distilled liquor, wine, or beer sign a record as herein provided, and shall make an affidavit that the said distilled liquor, wine, or beer will not be used in violation of the provision of this act. A certified copy of such record shall be filed with the District Commissioners not later than the fifth day of each month for the calendar month preceding. Such commissioner shall keep a public record of such data as herein provided.

Mr. President, in view of the fact that a public record must be made by the member of the family who gets it, and in view of the fact that it is continually of public record and kept for consultation, and is limited to receiving it but once a month, and is open to inspection by anybody who wishes to know they are trespassing upon the law, I do not understand how you can more thoroughly meet a situation than that, if you are going to limit it at all.

Mr. UNDERWOOD. I say to the Senator that to understand the amendment thoroughly you have to read it in connection with the first section of the bill as now amended, which provides against the importation of it or even the giving of it away, except as provided in this proposed amendment. I am not sure the Senator is right in saying that a servant would not be held by the court to be a member of the family because under the common law he was recognized as a member of the family. I do not know how it would be in the District of Columbia. I am not prepared to pass an offhand judgment upon it. I think the probabilities are that servants would be treated by the court as members of the family if living under the same roof.

But there might be brothers living in the same family and house. Of course it might put the burden on a boy who wanted to buy a quart of liquor to find a certain public record to see whether the father had bought any that month; yet the probability is that neither of them would do it; that they would understand under the law that they had been invited by this law to provide a quart of liquor once a month if they wanted to do so. Then, when they had each bought it and brought it under the same roof and the court found them guilty of a violation of the terms of this law, the court would have no discretion to say: "Well, this was not done with malice; we will fine you a dollar"; the court must send each one to jail for not less than 30 days.

That is a very drastic proposition to put on the backs of any people. I do not know what the Senator wants to do in the District of Columbia, but if he was making a law for the people of Idaho I doubt very much whether he would make it so drastic.

Mr. BORAH. Mr. President, we have in our State a law which in my judgment is quite as drastic as the one which is now proposed for the District of Columbia. I should not knowingly undertake to put upon the people of the District of Columbia a law I would not be willing to vote upon the people of my own State. But we are dealing with a subject here which is of tremendous moment in the estimation of some people, and it obligates the citizen to take some care and caution with reference to the enforcement of the law as well as the public official.

It is not quite right to assume that the citizens are not going to use ordinary diligence and ordinary caution to ascertain whether they are violating the particular provisions of this law. One thing is absolutely certain, it seems to me, and the Senator will concede it, that if a man really desired to know whether he was trespassing upon the terms of the law there would be no difficulty about the place where he could find the fact, and there would be no question about the fact conveying to him the correct information when he got it.

Mr. UNDERWOOD. I recognize that this law does not require the officials to keep an alphabetical list; it does not require them to put the record where the public would come in contact with it. The record may go into the back file of a back office, not to be called on unless there is personal service.

Of course I realize thoroughly the purpose of the proponents of this measure. They want to make it as difficult as possible for a man to get a bottle of liquor; in other words, they are limiting his supply. Now, I say if they are going to do that, if the Webb-Kenyon bill is constitutional, and that is to be passed upon soon, then it is constitutional to say that no liquor shall be brought into this District; and if the Webb-Kenyon law is not constitutional, then the provisions will not stand the test in court.

From that standpoint I say it is very much fairer to the public to give them notice that they can not bring it in at all. Do not give a boy in this District a chance to fall into the penitentiary by something that may be the law, but is not brought to his face, where he can see it. If you are going to let these people have a quart of liquor, put the responsibility on the individual. That is the only fair way to do it.

Mr. BORAH. The responsibility is on the individual.

Mr. UNDERWOOD. And do not put it on other people.

Mr. BORAH. The responsibility is here, in my judgment, upon the individual.

Mr. UNDERWOOD. That is a responsibility he possibly can not obtain and will not obtain.

Mr. BORAH. That is the point exactly. When the Senator says he will not obtain it, that is precisely what we are trying to prevent. We are trying to prevent any man from bringing it in who will not obtain the information.

Mr. UNDERWOOD. I will say to the Senator this: I do not know of any man I serve with who has more legislative courage than the Senator I am addressing now, but I say if he stands for a provision of this kind, to keep a man from drinking liquor, he has the courage to say he must not drink it. Do

not leave the bill with this trap in it, where some boy of good character and high standing may think he is invited by the bill to go and buy his quart of liquor and then trip him into the penitentiary.

Mr. BORAH. If the proposition were being submitted by the Senator from Idaho, he might submit it differently. The law which we have upon the statute books of our State, which I advocated, prohibits the possession of liquor upon the part of the individual.

But the only thing I rose to say was that it seems to me if there is going to be any limitation at all—and those who have charge of the measure think that that is essential to the first step in the progress of this legislation—I do not believe that the Senator, upon reflection, will conclude that there is very much danger of a man, who really wants to know the law, violating it, because there is the public record, and besides he does not have to look over a very large list.

Take a family of four or five, or five or six people, any member of the family who wants to know whether another member of the family has purchased it may find it in two minutes. He may call up over the telephone and get the information from the gentleman who holds the register. I greatly doubt, Mr. President, if very much liquor would ever come into the family at all without the knowledge of the other members of the family under this law.

Mr. UNDERWOOD. I am not sure about that proposition, but I am sure a great many of the younger members of the community and a great many others do not understand it; they do not read the law and know what is in the law; they do not know the terms of the law. Although the law itself charges them with the knowledge of it and finds them guilty if they do not know it, they do not investigate it. I may say that your son and my son might not take care to investigate what the law is. A great many people do not have the opportunity, they do not have the knowledge, to understand the law. You invite them; you tell them they are entitled to buy a quart of liquor, and it will leave a trap open there; somebody else in the family may have done the same thing; and if he has done it you send him to the penitentiary. That is not fair. It is not a fair proposition to put in the bill.

Mr. BORAH. I do not think there is a very fulsome invitation in this bill to buy liquor on the part of anybody.

No person shall, nor shall more than one member of a family occupying the same house, have in his possession, receive, or accept delivery oftener than once a month.

It then throws around it certain precautions and restrictions which are rather an invitation to let it alone than to buy it. I can not believe that anyone would be seriously misled who desired really to know the fact upon which he was proceeding.

Mr. SMITH of Michigan. Mr. President, I should like to ask the Senator from Texas regarding section 6, which refers specifically to ambassadors and ministers of foreign countries living here. I should like to ask the Senator where that proposition came from? Such a provision has never been inserted in our laws before. Have we been memorialized by any nation? Are they expected to surrender the right they have always exercised under international law and the custom of nations? Will they be amenable to this law? If not, we had better not attempt to deal with a situation which we may not be able to control.

Mr. SHEPPARD. An exception is made as to ambassadors and ministers, and also as to ministers of the gospel.

Mr. SMITH of Michigan. The exception is made, and you require the ambassador or minister to go to the Commissioners of the District of Columbia and get affirmative authority before he can take liquor into his embassy or legation. Is the Senator sure we can enforce this regulation?

Mr. BORAH. Does the Senator contend that we have not authority to require the ambassadors of foreign countries to comply with the general law with reference to the importation of liquor into the entire District of Columbia?

Mr. SMITH of Michigan. I seriously doubt whether if he comes into the possession of liquor lawfully under our laws we can take it away from him.

Mr. BORAH. Exactly; but this all relates to the question of importing a certain quantity of liquor into the District of Columbia.

Mr. SMITH of Michigan. I seriously doubt whether we can hold them responsible in our courts for any infraction of the law. Suppose this is for personal use?

Mr. BORAH. Suppose it is for his personal use.

Mr. SMITH of Michigan. I am not saying that to give emphasis to the suggestion that ambassadors and ministers need this privilege. For my own part, I think the reference is more of a criticism than a compliment.

Mr. BORAH. I do not really think that there is any reason to accentuate this matter. I do not think its enforcement would result seriously.

Mr. SMITH of Michigan. I think not, and I simply raise the question whether it should be in the bill at all. Has it been petitioned for?

Mr. BORAH. No; but perhaps the courtesy could be extended without a petition.

Mr. SMITH of Michigan. It could be; but the question is whether it would be acceptable. They have certain rights, certain privileges, which follow them as ambassadors of sovereign and independent States. They come here clothed with extraordinary authority, and I am not quite sure that, when they come into possession of liquor lawfully and it is a part of their household effects in the District of Columbia, we have any power whatever to regulate its use.

Mr. BORAH. One thing seems reasonably clear, and that is that we have power to legislate generally for the District of Columbia.

Mr. SMITH of Michigan. Yes; undoubtedly that is very clear; but does the Senator from Idaho think we could reach the personal property of ambassadors?

Mr. BORAH. No; neither are we undertaking to do it. We are passing a general law in reference to the importation of liquor into the District of Columbia.

Mr. SMITH of Michigan. An offender against that law is to be apprehended by the authorities.

Mr. BORAH. I suppose we would have it settled by correspondence.

Mr. SMITH of Michigan. We might write a letter and the liquor would all disappear long before the answer came.

I am just wondering where this proposition came from. I am not the spokesman of the ambassadorial corps, and I do not arrogate to myself any intimate knowledge of their intention or desire, but I seriously question whether we have not affronted them by singling them out for a special reference in this bill. I wonder whether the act would not fall and become absolutely impotent as to them, if this property which is sought to be branded with disfavor by our laws is held under their own flag.

Mr. BORAH. Let us suppose that the Senator is correct in his proposition that if an ambassador had more liquor than was allowed him—

Mr. SMITH of Michigan. Inside or out?

Mr. BORAH. Inside or out—and as to that portion of the law it would fall; that would not affect the balance of the law.

Mr. SMITH of Michigan. No; I do not think it would affect the statute as a whole, but it would be an attempt to do something which really we ought not to attempt to do unless we have the power to enforce obedience.

Mr. BORAH. I have no doubt that if the Senator from Michigan has an amendment in preference which would more thoroughly protect ambassadors it will be acceptable.

Mr. SMITH of Michigan. My suggestion would be to strike out all reference to the representatives of foreign nations in section 6.

Mr. BORAH. If the Senator wants to move that amendment we will take a vote on it.

Mr. SMITH of Michigan. I ask the Senator from Texas to consider this suggestion.

Mr. SHEPPARD. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Texas?

Mr. SMITH of Michigan. If the Chair will pardon me just one moment before I yield, I really think, so far as practical results are concerned, we are undertaking to do something which we may not be competent to do and that we may find ourselves in a situation where the law we are making, in so far as it applies to an accredited representative of a foreign State in this Capital, has no effect whatever; and if that is so, I would rather not see it in the bill.

Mr. JONES. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield?

Mr. SMITH of Michigan. Yes.

Mr. JONES. I wish to state to the Senator that this exception was proposed by the committee. It is a committee amendment.

Mr. SMITH of Michigan. It was intended as a courtesy, probably.

Mr. JONES. It was not intended exactly as a courtesy, but it was put in in recognition of the possible foreign territorial rights of these ambassadors within their residence here. It was put in, it seems to me, to meet the very suggestion the Senator presents. As I understand the Senator, he doubts if we could make the terms of this law apply to ambassadors.

Mr. SMITH of Michigan. I do.

Mr. JONES. That is exactly the objection we desire to avoid. We do not include them under the term "any person," as they would be included if we left out this reference and just left the general language of the amendment stand that any person in the District of Columbia who desires liquor shall do so-and-so and that no person can bring in more than so much at a certain time. If we use that general language, it would cover ambassadors and everybody in the District of Columbia. So the committee, in order to meet some possible objection of this kind, that we were trying to make the law apply to these people, put in this exception, although we do require them to apply to the Commissioners of the District of Columbia.

Mr. SMITH of Michigan. If I understand the Senator—

Mr. JONES. If there is any serious objection, of course, to referring to these people I do not think there will be any trouble about cutting out that language.

Mr. SMITH of Michigan. Did I understand the Senator to say that it was the desire of the committee that a way should be pointed out whereby special favor should be shown ambassadors and ministers?

Mr. JONES. No; that is not correct. We were not trying to point out anything to the ambassadors.

Mr. SMITH of Michigan. Let me state it the other way, then. It was the desire of the committee that this class of citizens, temporarily resident here and performing official duties for their country, should not be included in the limitations of the bill?

Mr. JONES. Well, the committee—

Mr. SMITH of Michigan. The point I make is this, and I think I am right about it. I do not want to assert it too strongly, but I think I am right in saying that an attempt to pass a law affecting the liberty of an ambassador accredited to this Capital would fail of its accomplishment. While he is accredited to our country he lives under his own flag and is responsible to his own Government.

Mr. BORAH. To a limited extent.

Mr. SMITH of Michigan. Yes; probably. I am not saying that he could violate with impunity the criminal laws of the country, but I do say that if you undertake to hold him responsible under our laws you have to be very sure that you do not encounter the well-recognized principle of international law that he is living on his own soil, and is therefore amenable only to his own country.

Mr. JONES. Well, Mr. President, it was that very idea that led the committee to insert this amendment. We had not fully examined the authorities with reference to the obligations or the liabilities of foreign ministers, and we thought there possibly might be the very situation which the Senator suggests. This provision, I repeat, was inserted to meet that very proposition.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Texas.

Mr. SHEPPARD. The amendment now pending does not involve the question which we are at present discussing.

Mr. UNDERWOOD. I ask that the Secretary may again state the amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 1, line 7, after the word "manufacture," it is proposed to insert the following:

For sale or gift, import for sale, import for use or gift, except as hereinafter provided, store, keep, deposit, or give away, except as hereinafter provided.

Mr. SHEPPARD. These are merely verbal amendments.

Mr. UNDERWOOD. Before the amendment is voted on I desire to ask the Senator from Texas—I asked him some questions the other day about the exporting of alcohol from the District—what change has his amendment had on that situation?

Mr. SHEPPARD. We have put the word "export" in section 1, so as affirmatively to permit exports out of the District of Columbia or shipments from the District of Columbia. I have another amendment providing that a record be kept by the transportation companies and by the manufacturers in order that the authorities of the District of Columbia may keep in constant touch with all liquor that is so exported.

Mr. UNDERWOOD. The Senator proposes to allow liquor to be exported?

Mr. SHEPPARD. I do so propose.

Mr. UNDERWOOD. For what purpose?

Mr. SHEPPARD. For purposes other than those prohibited in the bill; that is, for scientific, medicinal, pharmaceutical, mechanical, sacramental, or other nonbeverage purposes.

Mr. UNDERWOOD. You propose to limit the exportation of liquor from the District to those purposes?

Mr. SHEPPARD. To purposes other than beverage purposes.

Mr. UNDERWOOD. If it is exported for beverage purposes—

Mr. SHEPPARD. It would be a violation of the law.

Mr. UNDERWOOD. In what way does the Senator's amendment protect that clause?

Mr. SHEPPARD. We have not yet reached that part of the bill.

Mr. UNDERWOOD. Before voting on this amendment, I desired to get the information; that was all.

Mr. VARDAMAN. Let the amendment be stated.

Mr. SHEPPARD. The amendment we are now considering merely inserts the word "export," in section 1, so as to permit exportation.

Mr. VARDAMAN. The Senator from Alabama asked the Senator from Texas what amendment had been made to section 1 of the bill which prohibits the exportation of alcohol, and I suggested that it ought to be read, if the Senator from Alabama so desires.

Mr. UNDERWOOD. I should like to have the information before we pass upon this amendment, because this relates to the subject matter.

Mr. SHEPPARD. Shall I read the amendment which I intend to offer later in this connection?

Mr. UNDERWOOD. I shall be glad to have the Senator do so.

Mr. SHEPPARD. The proposed amendment is to add a new section, to read as follows:

SEC. 5a. That every licensed manufacturer of alcoholic liquor not herein prohibited shall keep a permanent record of all sales and shipments of alcoholic liquor. Such record shall set forth the following information: The name of the consignee or purchaser, the quantity of liquor, the express company or other carrier by which such liquor was shipped, the date of sale or shipment, and the purpose of the purchase as set forth in the affidavit accompanying the order. Each common or special carrier of alcoholic liquors within the District shall keep a record as above provided, and a certified copy of such record with a copy of the affidavits shall be filed with the District Commissioners not later than the 5th day of each month for the calendar month preceding. No shipment of alcoholic liquors shall be made until the purchaser signs an affidavit that such alcoholic liquors are not purchased for nor will such liquors be used or sold by the consignee for beverage purposes. The District Commissioners shall keep a public record of such sales, shipments, and affidavits, alphabetically arranged. Copies of the affidavit shall be attached permanently at the end of the record of each shipment or sale, and to each package containing liquor until delivered to the consignee. Any violation of this section shall be deemed a misdemeanor and be subject to the same penalties as provided in section 1 of this act.

Mr. UNDERWOOD. Is that affidavit to be made by the man who orders and receives the liquor or by the man who ships it?

Mr. SHEPPARD. The purchaser is required to file an affidavit with the manufacturer here in the District.

Mr. HITCHCOCK. Mr. President, if I understand the matter, if the amendment of the Senator from Texas, which is now pending, is adopted, it will inject into the bill a provision that no person shall import for use or gift into the District of Columbia any liquor except as provided in an amendment which the Senator proposes later on to offer?

Mr. SHEPPARD. That is true.

Mr. HITCHCOCK. And that that amendment will restrict any person from importing or keeping in his house or from purchasing more than the quantity of liquor which the Senator from Texas thinks he should use in the course of a month?

Mr. SHEPPARD. Well, the law prescribes what he shall use and what I think the limit should be.

Mr. HITCHCOCK. I should like to ask the Senator from Texas how he has qualified as an expert?

Mr. SHEPPARD. Solely from observation. [Laughter.]

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment proposed by Mr. SHEPPARD was, on page 1, line 7, after the word "manufacture," to strike out the words "store, or deposit."

The amendment was agreed to.

The next amendment proposed by Mr. SHEPPARD was, on page 1, line 8, after the word "barter," to insert "export, ship out of the District of Columbia," so that it will read:

Sell, offer for sale, keep for sale, traffic in, barter, export, ship out of the District of Columbia, or exchange for goods or merchandise, or solicit or receive orders for the purchase of any alcoholic liquors.

Mr. MARTINE of New Jersey. Mr. President, I can not understand what animus the Senator from Texas has in trying to place an embargo upon the export of liquor. What I thought the Senator desired was to get rid of the liquor. Now, in God's name, let them export it, if that is what the Senator wants.

Mr. SHEPPARD. We permit its exportation for other than beverage purposes.

Mr. MARTINE of New Jersey. Why should the Senator presume to regulate conditions in Maryland or in Virginia or in New Jersey or anywhere else?

Mr. VARDAMAN. Mr. President—

The PRESIDENT pro tempore. The Senator from Mississippi.

Mr. SHEPPARD. Regulations like these are good for the people everywhere.

Mr. MARTINE of New Jersey. The Senator from Texas, I will say, Mr. President, is not big enough to be the guardian of the whole universe.

Mr. SHEPPARD. I am making an honest effort to help my part of the universe, Mr. President.

Mr. MARTINE of New Jersey. And I trust the Senator will fail in that effort.

The PRESIDENT pro tempore. The Senator from Mississippi has the floor.

Mr. VARDAMAN. Mr. President, I wish to dissent most emphatically from the suggestion that this bill is simply the will or caprice of the Senator from Texas [Mr. SHEPPARD] or of any other Senator. It is proposed to be the legislative judgment or will of the Congress of the United States enacted in the interest of humanity, for the purpose of restricting the most damnable evil with which the human race is afflicted to-day. That is the purpose of the bill.

Mr. MARTINE of New Jersey. Mr. President—

Mr. VARDAMAN. The Senator from Texas is not playing the rôle of guardian for the American people any more than any legislator in any State of the Republic who voted for a prohibition law is the censor of the morals of the people of that State.

I shall vote for the bill because I believe that traffic in whisky is contrary to the best interests of the American people. I believe the use of intoxicating liquors is deleterious to the human body. It lowers the morals, it destroys the physical strength, it has made more lunatics and idiots, it has filled the jails with more criminals, and it has caused more poverty and distress than has any other evil with which the human race has to contend. My judgment about that is the sober judgment of the American people. You can not answer the argument for prohibition with a sneer, nor can you defend the saloon with a bald and unsupported assertion.

Mr. MARTINE of New Jersey. Mr. President, the distinguished Senator from Mississippi presumes to stand as the guardian of humanity. I desire to say that he has no more humanitarianism in his sentiments and in his heart than have I, and I deny the Senator the right to declare what is best for humanity from his standpoint, any more than I can from mine.

I say that the evil of this so-called prohibition legislation is that it tends to make men hypocrites and infinite liars. That has proved to be the case in every community where it exists. It has made liars by the millions in Mississippi, in Texas, and in every one of the prohibition States. Mr. President—

Mr. VARDAMAN. Mr. President, if the Senator will pardon me a moment, I am not trying to act as guardian for my friend, the distinguished Senator from New Jersey. I would not do that for all the money in the world. Really I would not deny him a single drink for any consideration if he were thirsty. I am not trying to act the guardian for anybody. I am simply trying to do my duty as a legislator. As to whether or not prohibition makes liars I will not dispute with my friend, for I do not know. I have no information on that subject.

Mr. MARTINE of New Jersey. Well, now; that is a very unfortunate and very ridiculous reference. I am not ashamed of my habits; I have never been ashamed of them in my life. I will place myself on a parallel with the Senator from Mississippi on every question, whatever it may be—social, moral, political, or otherwise. I say the Senator is utterly out of order in making such a reference, and it would be within my right, I think, to call him to order.

Mr. VARDAMAN. The Senator from New Jersey is unnecessarily excited.

Mr. MARTINE of New Jersey. I am not at all excited, but I mean to maintain my rights, and I do not mean that special personal reference shall be made to me any more than I might make such references to the Senator from Mississippi.

Mr. VARDAMAN. The Senator from New Jersey has charged me with trying to regulate the morals of the country. He acts and speaks as though I was trying, or desired, to prescribe his private personal conduct.

Mr. MARTINE of New Jersey. You said that you were regulating humanity.

Mr. VARDAMAN. No; I did not. I deny saying anything of the kind.

The PRESIDENT pro tempore. Senators will address the Chair before interrupting.

Mr. VARDAMAN. I deny saying anything of the kind. I said I was not; but I resented the statement that this bill was the imperious will of the distinguished Senator from Texas. Why, I do not believe that there is a man in this Chamber who is as utterly devoid of malice and meanness and those things that make men unlovely as is the Senator from New Jersey. I think he is the loveliest, dearest old soul in all Israel.

Mr. MARTINE of New Jersey. That is very kind of the Senator.

Mr. VARDAMAN. But the Senator misunderstands me altogether. He has gotten excited here about nothing.

Mr. MARTINE of New Jersey. Oh, no; hold yourself; I am not excited.

Mr. VARDAMAN. I am as cool as a cucumber. I never get excited; there is nothing about this bill to excite me. I have not the slightest apprehension regarding it. It is not going to deny me anything that I want. I am not at all uneasy about it. I simply am hoping that I may do something for my fellow man in the enactment of legislation which the judgment of the world has pronounced wise and beneficent.

Why, the peoples of Europe have seen the wisdom of this step. Russia has gone under a prohibitory law. The great Kaiser of Germany said in the beginning of this war that in the wars to be fought in the future victory would be on the side of the people who drank the least alcoholic liquor. One of the leading English statesmen has stated that the greatest enemy that England had to fight in this war was intoxicating liquor. Oh, no; I am not excited; I am simply advocating here, with love for all my fellow men and malice toward none, and especially my good friend from New Jersey, for, God bless his soul, I would not say anything to offend him for anything in the world; I would not do anything to offend him, and I did not take offense when he said that I was playing the rôle of censor and regulator of the morals of the country. I am not doing that; I am simply voting my own individual judgment about a question that has received the most patriotic, intelligent, searching scrutiny and investigation of the great minds of the world. All the great doctors say that the liquor traffic is an injury to the human race; all the great scientists agree that it is an insidious, deadly poison and ought to be fought; and we know that in communities where whisky is not sold there is the least amount of crime, there are fewer broken hearts and blighted lives than in any other parts of the country. Oh, no; I am not trying to restrict or abridge anybody's rights at all, except the man who would coin human souls into dollars for his selfish private gain, and especially do I want my friend from New Jersey to understand that in that I am in no way trying to regulate him, but I am trying to regulate the whisky traffic in the interests of the American people.

Mr. MARTINE of New Jersey. The Senator is not trying to regulate me, Mr. President, but he is trying to regulate the rest of the world.

Mr. OWEN. Mr. President, I merely rise to say that I am in sympathy with this bill and shall support it. I should be glad to see it passed and be glad to see it the law of the District of Columbia. I should be glad to see its beneficent provisions extended to the United States and to the world.

The evidence with regard to the evil of this traffic is so notorious and so well established that it is unnecessary now to debate it. One State of the Union after another has declared in favor of prohibition, and even those States which have it not have by counties innumerable declared in favor of it after they have had opportunity to pass judgment on this traffic. The States which have declared for it are chiefly injured and affected by the States which have not, those States being centers from which this traffic extends itself into States where the people have voted against it.

The experience of every man in his own life is practically the same. I have myself seen men whom I loved ruined by this traffic; I have seen families in which I was deeply interested ruined by it. I received a letter yesterday morning from a mother appealing to me in behalf of her son whose life was being jeopardized by this evil. I am glad to see this bill before the Senate. I hope it is the judgment of the Senate that it shall pass.

I am not in favor of a referendum to the people of the District on this question. The Senate of the United States and the Congress of the United States represent the mature judgment of the people of the United States. If, however, a referendum is taken upon this subject at all, then it ought to be taken by the people of the District of Columbia, not by the men alone, but by the women as well, because a woman has a right to defend her own life, her own son, her own brother, her own husband, against this evil traffic. She has a right to life, to

liberty, and to the pursuit of happiness. So, if a referendum is taken, I favor the proposed amendment of the Senator from Indiana, that women shall have a right to vote upon this matter.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Texas [Mr. SHEPPARD].

Mr. UNDERWOOD. Mr. President, I do not like this part of the bill to pass without a further understanding as to the exportation of liquor from the District. It may not relate directly to this portion of the bill where the amendment comes in. As I understand, the amendment now being considered is in line 8, page 1, of the bill. Am I correct?

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 1, line 8, after the word "barter" and the comma, it is proposed to insert the words "export, ship out of the District of Columbia."

Mr. UNDERWOOD. Mr. President, I want to call the attention of the Senate to certain situations in reference to the export of liquor from the District. Possibly the Senator from Texas has fully met the situation, but I am not sure that he has done so. I think that if this bill passes it ought to pass so that we can have absolute equality under its terms.

I noticed when this bill was submitted last year a statement in the Washington Times, which I send to the Secretary's desk and ask to have read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[From the Washington Times of Jan. 30, 1916.]

FOES OF LIQUOR MAY EXEMPT CORBY PLANT—ANTISALOON LEAGUE OFFICIALS TO CONSIDER EFFECT OF "DRY" BILL ON FACTORY—AGAINST ONLY BEVERAGES—WILL INVESTIGATE MANUFACTURE OF GRAIN ALCOHOL IN THE INDUSTRY.

The effect of Senator SHEPPARD'S bill providing for prohibition in the District upon the Corby Co.'s yeast factory at Langdon, a \$2,000,000 industry, will be looked into at once by Andrew Wilson, president of the Antisaloons League of the District, and Albert E. Shoemaker, the league's attorney.

They will consider, after conference with prohibition leaders, the advisability of backing an amendment permitting the manufacture of grain alcohol here for mechanical and scientific purposes.

RECOGNIZED IN BILL.

This announcement was made this afternoon following the announcement by the Times that the Sheppard bill would result in closing up the Corby plant, which sells alcohol, produced as a by-product, under the restriction that it be not used for beverage purposes.

Entire ignorance of the fact that grain alcohol was manufactured as a by-product of yeast making at the Langdon factory was professed both by Mr. Wilson and by Mr. Shoemaker. They said the need for alcohol for mechanical, scientific, and, in wines, for sacramental purposes was recognized in the bill, which permits its importation for those purposes. But they admitted entire ignorance that the Corby Co. sold alcohol, as well as fusel oil, vinegar, and other by-products derived from the making of yeast.

"While I would not favor excepting one plant from the provisions of the bill," said Mr. Shoemaker, "I believe we should look into the advisability of permitting the making of alcohol here for purposes other than beverages. The intent of the bill, as indicated by its making exceptions in the case of wood alcohol and denatured alcohol and in the importation of alcohol for mechanical and scientific purposes and wine for sacramental use, was simply to prohibit the use of alcohol for beverages."

NO MEDICINAL VALUE.

"How widespread is the manufacture of grain alcohol here I do not know. We did know that there are no distilleries here, and I had no idea that grain alcohol was manufactured by the Corby Co., or by anyone else."

Mr. Wilson said he had not known of the production of alcohol by the Corby Co. So far as the sale of alcohol for medicinal purposes is concerned, Mr. Wilson said, the league is opposed to any exceptions on that ground.

"It has been shown conclusively," Mr. Wilson said, "by a long series of experiments by a noted expert that alcohol can have no medicinal value. To permit its manufacture or its importation on that pretext would be to nullify any prohibition measure."

Mr. UNDERWOOD. I have another article from the same paper on a subsequent day in relation to this matter, which I also ask to have read.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

[From the Washington Times of Feb. 2, 1916.]

EXEMPT CORBY PLANT FROM DRY-BILL SCOPE—OFFICIALS OF ANTISALOON LEAGUE DECIDE BAN WOULD BE UNFAIR TO MANUFACTURERS.

The Sheppard District prohibition bill will be amended so as to exempt the manufacture of pure grain alcohol by the Corby Co. at its yeast plant in Langdon, D. C.

Announcement of this fact was made to-day by Albert E. Shoemaker, attorney for the Antisaloons League.

"At a meeting of the advisory or legislative committee of the Antisaloons League yesterday this decision was reached," said Mr. Shoemaker. "We feel that justice and fair play dictate such an amendment, and it will be made. The amendment will be entirely agreeable to our committee and members who are aware of the facts, and it will also be agreeable to Senator SHEPPARD, patron of the bill, and other Senators and Congressmen pledged to support the bill."

DETAILS ARE UNDECIDED.

Section 1 of the Sheppard bill classes pure grain alcohol as an alcoholic beverage, the manufacture and sale of which is prohibited, while

section 2 prohibits the manufacture of pure grain alcohol by not exempting it.

Although the amendments have not yet been made, it is understood the words "pure grain alcohol" will be stricken out of section 1, and the words "ethyl alcohol," another name for pure grain alcohol, will be inserted in section 2.

Attorney Shoemaker's statement, issued for the Antisaloan League, and setting forth the reasons for making the changes in the bill, follows:

"The Antisaloan League has given consideration to the protest of the Corby Co. against a provision in the Sheppard-Barkley bill for prohibition in the District of Columbia, which, it seems, if enacted into law, would seriously injure its business of marketing grain alcohol, a by-product of its yeast manufactory.

"The company has satisfied the league that its alcohol products are sold exclusively for mechanical and scientific purposes, and that approximately 90 per cent of the output is disposed of outside the District.

HOPES FOR SUPPRESSION.

"In supporting the Sheppard-Barkley bill the league hopes to suppress, so far as possible, the beverage liquor traffic in the District. It recognizes the fact that there is a legitimate and unobjectionable use for alcohol for mechanical and scientific purposes. The bill as introduced in Congress and as reported to the Senate recognized the fact, for provision is therein made for the importation and sale of grain alcohol. But the league also recognized the fact that ethyl alcohol is the basis of all alcoholic liquors used for beverage purposes, and so, in order to secure a measure that will prove effective in suppressing the beverage liquor traffic and reducing to a minimum the consumption of alcoholic liquors, favored the provision in section 2 of the bill, which provides for the importation and sale of grain alcohol, but provides against the manufacture of it in the District.

"However, when it has been made clear that the Corby Co. manufactures alcohol for the purposes above stated only, the league is of the opinion that an unnecessary injustice would be done the company if the bill should become a law without an amendment which will permit it to continue the manufacture of alcohol for the purposes specified. It is believed that such an amendment will be acceptable to the friends of the bill in Congress and to the friends and supporters of prohibition everywhere, and will in no wise weaken the bill.

"Neither the league nor the sponsors for the bill in Congress were aware that the Corby Co. was making alcohol until after it was reported to the Senate, and, of course, no injustice was intended. The sole purpose of the league in connection with the pending legislation is to secure an effective, workable law prohibiting the beverage liquor traffic in the District, believing that such a law will be approved by a large majority of the citizens."

MR. UNDERWOOD. Mr. President, I think the responsibility of drafting this law rests in effect on the proponents of it; but I believe in fair play. When this bill in its original form was brought before the Congress last summer it prohibited the exportation of alcohol from the District of Columbia. The Corby Co. is a legitimate company, making yeast. It manufactures alcohol as a by-product. It manufactures alcohol that is perfectly good alcohol, drinkable alcohol, and a very high-grade alcohol, that can be used for cordials or making whisky or any other purpose. If the bill had passed as it was originally introduced here and proposed by the District Committee, it would have put the Corby Co. out of the business of making alcohol in the District; and I am told by Mr. Corby himself—because I want to state this proposition perfectly fairly—that it might have put him entirely out of business. It seems from his statement that he has but one main competitor, and that is the Fleischmann Yeast Co. Out of their by-product they make alcohol. Out of his by-product he makes alcohol. I judge from his statement to me that if you take away from him the right to make alcohol it may seriously affect his ability to compete. Therefore he appealed to the Antisaloan League of the District of Columbia to exempt him from the terms of the Sheppard bill, and they agreed to exempt him from the terms of the Sheppard bill, and it was that exemption which I called to the attention of the Senator from Texas the other day—the fact that he was exempted.

There is a brewery in this town. This bill proposes to confiscate the property of that brewery without payment. It takes away the property. No more beer can be manufactured, no more can be exported, because it is not alcohol and does not come within the terms of the amended bill. Of course, there are many hotels in this town that are equipped with barrooms that probably cost them thousands of dollars. If this bill passes, their property will be confiscated without payment by the District of Columbia. But under the terms of this amendment the Antisaloan League, in proposing the amendment the other day, exempted the Corby Co. entirely from the terms of this bill and allowed it to go on and attend to its business, making alcohol and selling it.

I have in my hand some letters that I desire to call to the attention of the Senate before this amendment of the Senator from Texas is passed on. The one I have here has a picture of the Corby Yeast Co. in the corner. The title head is "The Corby Co., manufacturers of U. S. P. grain alcohol, cognac spirits, denatured alcohol, fusel oil. Station K, Washington, D. C., July 8, 1915."

The letter is directed to the Wilson Distilling Co., Baltimore, Md., and reads:

GENTLEMEN: We very much appreciate your postal in answer to our letter in reference to alcohol, and thank you for same.

We will mail you quotations on alcohol, to reach you not later than Monday, July 26, for delivery after August 1. Please bear in mind that the goods which we shall offer you will be of the highest grades obtainable. Full satisfaction guaranteed. Orders that you send us will have our prompt and personal attention.

Yours, very truly,

THE CORBY CO.,
By W. S. CORBY, President.

Let me say that Mr. Corby has informed me that that is not his signature, but it was signed by his sales agent with his authority, so that it was sent by the authority of the Corby Co. to the Wilson Distilling Co.

The Wilson Distilling Co. on July 2 answered that letter, as follows:

THE CORBY CO.,
Station K, Washington, D. C.

GENTLEMEN: Replying to your favor of the 1st, please take this matter up with us about the end of this month.

Yours, very truly,

THE WILSON DISTILLING CO.

Signed by the assistant secretary and treasurer.

Then, I also have a letter on the letterhead of the Corby Co., dated July 1, 1915, to the Wilson Distilling Co., Baltimore, Md. It is as follows:

GENTLEMEN: For five years we have sold our production of alcohol to A. L. Webb & Sons, Baltimore.

We are going to market the same direct to the trade. If you have purchased alcohol from the above-named firm you have no doubt used alcohol of our manufacture. Our alcohol is made from grain of the highest grade, and our distilling apparatus is so scientifically designed that the separation of the fusel oils and aldehyde is positively fixed, regardless of the judgment of the operator, thereby giving a uniform distillate of 99.997 pure ethyl alcohol—

A very high grade.

We are not connected with any combinations or agreements on prices, hence we are in a position to name an attractive price. We will make deliveries on and after August 1. If you will advise us in what quantity you purchase, or if you contract for your requirements for a certain period, we will appreciate the privilege of quoting you. We shall try in every honorable way to warrant at least a part of your requirements, which will have our personal attention. Our representative will call on you in the near future, and we will greatly appreciate any consideration that you may show him.

Very truly, yours,

THE CORBY CO.,
By W. S. CORBY, President.

They stated:

For five years we have sold our production of alcohol to A. L. Webb & Sons, Baltimore.

I have here the letterhead of A. L. Webb & Sons, and it says:

A. L. Webb & Sons (Inc.). Alcohol, Cologne and Velvet Spirits, Wood and Denatured Alcohol. 115 and 117 East Lombard St., Baltimore, Md.

According to their statement they had been selling to A. L. Webb & Sons, who were sellers of alcohol. They offered to sell to the Wilson Distilling Co.

I hold in my hand another letter, dated July 2, directed to C. H. Ross & Co., Baltimore, Md., and this reads:

GENTLEMEN: For five years we have sold our production of alcohol to A. L. Webb & Sons, Baltimore.

We are going to market same direct to the trade. If you have purchased alcohol from the above-named firm, you have no doubt used alcohol of our manufacture. Our alcohol is made from grain of the highest grade, and our distilling apparatus is so scientifically designed that the separation of the fusel oils and aldehyde is positively fixed, regardless of the judgment of the operator, thereby giving a uniform distillate of 99.997 pure ethyl alcohol.

We are not connected with any combinations or agreements on prices, hence believe we are in a position to name an attractive price. We will make deliveries on and after August 1. If you will advise us in what quantity you purchase, or if you contract for your requirements for a certain period, we will appreciate the privilege of quoting you.

We shall try in every honorable way to warrant at least a part of your requirements, which will have our personal attention. Our representative will call on you in the near future, and we will greatly appreciate any consideration that you may show him.

Very truly, yours,

THE CORBY CO.,
By W. S. CORBY, President.

References: The Riggs National Bank; Dun's.

I have investigated in Dun's Directory, and I find that C. H. Ross & Co. are liquor dealers and rectifiers in Baltimore.

After I quizzed the Senator from Texas [MR. SHEPPARD] on last Friday in reference to the question as to why he proposed to penalize other men engaged in the liquor business in Washington and proposed to exempt certain persons making alcohol for the export trade, Mr. Corby, the president of this company, having read it in the paper, came to see me personally. He stated that these letters were by his firm, signed in his name, though not by himself personally, but by his agent, who was authorized to sign them. He stated that he was a prohibitionist, that he did not believe in selling alcohol for beverage purposes, that he did not propose to do so, and had been opposed to doing it in the past. He stated to me that he had not made a sale to these men to whom he had offered his

goods for sale. I do not mean to A. L. Webb & Sons, because he admitted that he had sold for a number of years to A. L. Webb & Sons, but I mean to the Ross Co. and the Wilson Distilling Co. He asked me not to use these letters. I refused to comply with his request, because I thought the Senate ought to be advised on this question, but I said I would try to treat him fairly if I did use them. At a subsequent date he brought me an affidavit from the man who actually signed the letter. I thought I had it in my hand, but I see I have not, and I shall have to look for it among these papers, if the Senate will pardon me for a moment. [A pause.] Mr. President, I thought when I rose from my seat that I had that affidavit in my hand with these other papers. I certainly did not take it out of this pile of papers, and I can not find it here now.

Mr. SHEPPARD. Mr. President, I was furnished with a copy of the affidavit, and I shall be glad to hand it to the Senator.

Mr. UNDERWOOD. I shall be very glad if the Senator will send it to the desk and let it be read, because I want to make a full statement of the facts.

Mr. SHEPPARD. I send the affidavit to the desk, Mr. President.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read the affidavit.

The Secretary read as follows:

WASHINGTON, District of Columbia, ss:

Howard E. Griffith, having been first duly sworn, upon oath deposes and says that he is employed by the Corby Co. at Langdon, D. C.; that the said Corby Co. is engaged in the manufacture of yeast, which is sold and used throughout the United States.

Affiant further says that he has been for 22 years engaged in the business of selling alcohol to the trade; that on the 1st day of July, 1915, he became employed by the Corby Co. as a salesman of alcohol, which is a by-product, produced by said company from the manufacture of yeast; that at the time affiant became employed with the said Corby Co. he compiled a list of names of persons and corporations of whom he knew from past experience in this territory were purchasers of alcohol; that he suggested to and received the consent of Mr. W. S. Corby, president of the Corby Co., to make an announcement of the fact that said company proposed thereafter to solicit and market their product direct to the trade, which affiant did on July 2, 1915, to approximately 500 establishments, whose names appeared upon said list; that possibly 400 replies were received thereto requesting quotation; that owing to the number of such inquiries a second letter was prepared and mailed on July 9, 1915, stating that quotations would be made not later than July 26, 1915; that in pursuance thereof a third circular letter was mailed on July 24, 1915; that while this action was done with the consent and approval of the said W. S. Corby, the said Corby did not examine the said list, but relied entirely upon affiant, who knew that the said company restricted the sale of its alcohol for nonbeverage purposes, but he assumed that there was no objection to solicit the parties whose names appeared thereon, provided that it was not for use as a beverage; affiant knew that the concerns on said list purchased alcohol for sale and use for other than beverages; that as to the name of the Wilson Distilling Co., which appeared upon said list and who received the said circular announcement and, having replied thereto, received the two circular follow-up letters, affiant states that he did not then believe, nor does he now believe, that they use alcohol in the manufacture of liquors disposed of by them as a beverage, nor does he believe that they will or can honestly admit that they use it for such purposes.

Affiant further says that he personally knows that the said W. S. Corby and the Corby Co. are absolutely opposed to the sale of alcohol to any person or corporation where the same is to be used in any alcoholic beverages. Affiant further says that the sales of alcohol by the Corby Co. have been restricted absolutely for use in hospitals and in the manufacture of medicines, tinctures, extracts, and in the arts and sciences, and for any other use than as a beverage.

Affiant states most emphatically that, acting under the direction of said company, he has absolutely refused to sell alcohol where he thought that it was proposed to use the same as a beverage; and affiant further states that he is the sole agent of that commodity for the company, and that to the best of his ability he has endeavored to carry out the instructions of his employer in that regard.

HOWARD E. GRIFFITH,

Subscribed and sworn to before me this 11th day of December, A. D. 1916.

[SEAL.]

LYOUD A. DOUGLASS,
Notary Public, District of Columbia.

Mr. UNDERWOOD. Mr. President, I find that Bradstreet's Commercial Directory of Bankers, Merchants, and Manufacturers for September, 1915, shows the following:

At Baltimore, Md., C. H. Ross & Co. are listed as wholesale liquor dealers.

At Baltimore, Md., the Wilson Distilling Co. are listed as wholesale dealers.

Bradstreet's Directory is the usual source from which business men obtain their information as to the financial standing and business in which other men are engaged.

But I am not here to criticize the Antisaloon League for attempting to exempt the Corby Manufacturing Co. from the terms of this bill. I am not here to criticize Mr. Corby for attempting to sell the product of his factory as long as it was lawful for him to do so. I think, though, that this demonstrates conclusively that if Mr. Corby did not sell to the liquor trade it is possible for an alcohol-making establishment in the District of Columbia to sell to the liquor trade, which was exempted under the terms of this bill until I called attention to the fact.

I am not sure that the amendment of the Senator from Texas remedies this matter. He proposes an amendment saying that no alcohol shall be exported from the District of Columbia except within the terms of this bill. Those terms say that it shall be exported only for mechanical, medicinal, scientific, and other nonbeverage purposes. Of course, that covers everything except a man drinking it. He provides that the man who orders alcohol must make an affidavit that he is not going to use it for beverage purposes, or, in other words, that he is going to use it for these nonbeverage purposes. So good. He may buy it. The Wilson Distilling Co. may buy it if they make that affidavit, and they may sell this same alcohol to me to wash surgical instruments in a hospital, and then, when I have bought it for that purpose from the fellow that made the affidavit he is in no danger of the law. I can sell it to John Smith, Jim Jones, or anybody I please, to drink it.

I am not saying that Congress should forfeit Mr. Corby's property under this bill without paying for it. That is where I fall out with you gentlemen. I do not believe you are doing the fair thing. Instead of opening this door as you are attempting to do under the law to save Mr. Corby's establishment, if you really mean what you say, and mean that the sale of alcohol is an injury to the American people, that it is something that this country has to be protected against, then have the courage of your convictions and do what every other civilized Government in this world has done under these circumstances—go pay Corby for his plant, instead of permitting him to sell the product of that plant throughout the United States to other people. Go put a provision in your bill that if it goes into effect you will buy his plant and pay for it.

Why, every other great Government except that of the United States has done that. When the French people prohibited the manufacture and sale of absinthe in France, did they penalize the man that had been making it before that time, a business that they had invited men into by taxing them and making it legitimate? Did they penalize them? No. They appointed a commission and paid them for the property which they took away from them. You are recognizing that principle in this bill. You are recognizing here, or attempting to recognize, the principle—the Antisaloon League is, because this originated with them, if the newspaper clippings that I have had read at the desk are true, and I understand they are. You are recognizing the principle by saying to Mr. Corby, "We will give you a door to sell your products. We are not going to take your plant." But there are other plants in the District of Columbia to which you are not saying that. You are not saying that to this brewer down here. You propose to confiscate their property, to take it away from them, to destroy it absolutely, and the property of everybody else that is engaged in this District in this business, which you have recognized as legitimate. For 50 years you have had the arm of the Federal Government in their treasury, taking the income on which your Government lived, and now you have not the courage to go to the American people and say, "If we do this, we are willing to pay the price."

Other great Governments have done it. In Switzerland, when they wiped out absinthe and said their people should not manufacture it or use it, they paid for it. You are not proposing to pay the price here. You are proposing to confiscate the property of certain people because you condemn them, although you recognized them as within the law before you passed this bill; but when you find your favorite you give him the door out to protect his property.

If you want to go to the American people with this bill in that shape, it is your responsibility. You take it and go. So far as I am concerned, I say your proposition is not a square deal all around.

Mr. HARDING. Mr. President, I do not rise to discuss the merits of either the bill or any pending amendment. It so happens that I have an unavoidable engagement which takes me from the Senate Chamber to-morrow and possibly the day following, and I should dislike to have anybody believe that I am doing what is popularly known as "ducking" on an important question of this character. For that reason I am availing myself of the privilege of putting into the RECORD my position on the pending measure, and the explanation of that position.

During the campaign in Ohio in 1914, when I received my commission to come to the Senate, there was pending in that State the question of constitutional prohibition. A good many of the electors were not content to accept some of us candidates on the record we had made in legislation in the General Assembly of Ohio, and I was repeatedly asked on the stump what my attitude would be on the question of prohibition in the National Congress. I objected then, as I should object again, to being measured in my fitness for a place in the Senate by the single

yardstick of prohibition; but having the question to meet, I met it in accordance with the platform of the party which honored me with nomination, wherein we promised in that campaign that the nominees of our party would carry out, to the best of their ability, the expressed wish of the people of Ohio in the pending nonpartisan constitutional election. When I was asked for my specific position I stated repeatedly and openly so that all could understand that, so far as I was concerned, when the question of prohibition arose in the United States Senate I should be guided by the express wish of the majority of the people of the State of Ohio. Everyone so understood me. In that election a considerable majority of the people of my State voted against prohibition. So, in accordance with the pledge I publicly made and with the result which was recorded in that election, I am here opposed to the pending measure. I have no freedom of action in the matter. It has ceased to be a question of moral judgment with me. I have a pledge to keep with my constituency, and in accordance with that pledge when the final vote comes I shall vote against this bill.

I have concluded that the consistent course for me to pursue, having voted as I did for many referendums of the question in Ohio, if the amendment of the Senator from Alabama should be presented in this body and I were present, would be to vote for a referendum to the people of the District of Columbia.

So it is, Mr. President, I want the RECORD to contain the fact that I am favorable to a referendum and I am forced in accordance with my pledge to vote against prohibition in the District of Columbia.

I trust these remarks will leave no doubt as to my attitude, and that those who care to know will understand that my necessary absence to-morrow and possibly the next day will not in any way indicate that I am hesitant to meet the question raised by the pending amendment.

Mr. KENYON. I should like to ask if the amendment to section 6, page 13, with reference to ambassadors and ministers of foreign countries has been adopted?

The PRESIDING OFFICER (Mr. CHILTON in the chair). It has been adopted.

Mr. KENYON. I ask unanimous consent that the vote be reconsidered on the adoption of the amendment on page 13, section 6, in reference to ambassadors. First, I ask, What is the parliamentary status at this time?

The PRESIDING OFFICER. There is an amendment pending which is before the Senate at this time.

Mr. KENYON. Then I will withhold my request, and I give notice that I shall ask to-morrow for a reconsideration of the vote by which that amendment was adopted.

Mr. SHEPPARD. I wish to say, briefly, in reply to the Senator from Alabama that there has been no attempt on my part to accord any special exemption to the Corby Co. or any other institution in the District of Columbia. The law is framed in general terms and authorizes the manufacture of alcohol for industrial, scientific, and medicinal purposes. If the Corby Co. manufactures alcohol for such purposes, it will be permitted to continue to do so under the terms of the bill, and so will any other company or any individual in the District of Columbia, or any brewery, which may go into such business. Certainly there has been no effort on the part of the framers of this bill to afford any special exemption to anybody.

Mr. KERN. Mr. President, I have an amendment to propose to the amendment of the Senator from Alabama, which I ask may be read and printed.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. An amendment proposed by Mr. KERN to section 2 of the amendment proposed by Mr. UNDERWOOD to Senate bill 1082: Strike out the word "male," in line 8, page 2, and add the word "without regard to sex" after the word "Columbia," in line 9, on the same page, so that the section will read:

Sec. 2. That all resident citizens of the District of Columbia without regard to sex, who are over the age of 21 years, of sound mind, and have not been convicted of an offense involving moral turpitude, and who have been residents of the District of Columbia and the voting precinct in which they reside for more than one year prior to the date of the holding of said election shall constitute the qualified voters at said election. The managers of the said election shall be the sole judges of the qualifications of the voters.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. SHEPPARD. I wish to state that it is my intention to press this bill as speedily as possible. For the present I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) Thursday, December 14, 1916, the Senate adjourned until to-morrow, Friday, December 15, 1916, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 14, 1916.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, Author of the universe and Father of all souls, for the inestimable gifts, temporal and spiritual, which Thou hast bestowed upon us. Grant us, we beseech Thee, wisdom, power, and courage, that we may use them in accordance with our highest conceptions of right and truth and justice, and prove ourselves worthy of the trust reposed in us; that as faithful servants we may fulfill our destiny to the glory and honor of Thy holy name, in Christ Jesus, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MARKETING AND FARM CREDITS.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to print in the RECORD the resolutions adopted by the National Conference on Marketing and Farm Credits held at Chicago December 4 to 9, 1916. They contain recommendations in the line of congressional action on certain vital subjects.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing certain resolutions about the marketing of foodstuffs. Is there objection?

There was no objection.

INVESTIGATION OF MILK AND MILK PRODUCTS.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter from the American Federation of Labor inclosing resolutions in favor of House resolution 137 relating to dairy products in the country.

The SPEAKER. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD by inserting a letter from the American Federation of Labor. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative appropriation bill (H. R. 18542).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HARRISON in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 18542) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Office of the President: Secretary, \$7,500; executive clerk, \$5,000; chief clerk, \$4,000; appointment clerk, \$3,500; record clerk, \$2,500; 2 expert stenographers, at \$2,500 each; accountant and disbursing clerk, \$2,500; 2 correspondents, at \$2,500 each; clerks—2 at \$2,500 each, 4 at \$2,000 each, 5 of class 4, 2 of class 3, 4 of class 2, 3 of class 1; messengers—3 at \$900 each, 2 at \$840 each; 3 laborers at \$720 each; in all, \$76,780: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary.

Mr. DILL. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

Page 29, line 9, after the word "at," strike out "\$720" and insert "\$840"; strike out "\$76,780" and insert "\$77,140."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on the amendment.

Mr. DILL. Mr. Chairman, this item refers to the laborers who are in reality janitors at the White House. During the hearings on the Nolan bill last spring one of them testified as to the conditions under which the laborers work and the salaries they receive. I do not believe these conditions ought to go unnoticed.

Charles Williams is one of those laborers, and in his testimony before the Nolan committee which I have here he said:

I am night fireman up there at the White House. I put in three years and five months under Col. Roosevelt. I put in four years under ex-President Taft, and I have put in three years and one month under President Wilson. I have been increased in pay in a little over 10

years 25 cents a day. I got that when I first went there. I have got five boilers to look after; I have got the kitchen range to look after; I have got the coal to wheel in on my shift, which would be the 4-o'clock shift, but when the man comes on the 12-o'clock shift he can not wheel the coal, because it makes too much noise. On the 4-o'clock shift a man has to get all the wood and coal into the kitchen for the use of the family that night, and even the fireplace wood. All they pay is \$1.75 a day. I have no Sundays off; I have no holidays off. During the summer months in the half holidays I have got to work eight straight hours through, and if I lose an hour or two or a day I get docked for it. Really, I work about six days overtime for the Government and do not get a cent for it.

And then, after questions by the committee, he said further as to how he was able to live on that salary:

The only way I do is to get out and hustle around and see what I can do and oftentimes I can get a lot of pipe work, pipe covering to do. Now, at this time of the year there is nothing doing. Last summer I had five launches to look after, and that helped along. My wife kept a boarding house and broke her health, and now she is losing her eyesight and she had to give it up, and that is a great deal of expense.

Later on he says that he goes to the New Willard and the Raleigh and makes an extra dollar doing asbestos work. He gets the smallest wage paid at the White House, and it is practically impossible to make a living. I do not believe when men are in a trusted and confidential position, as they necessarily are in the position of janitors and laborers at the White House, that they ought to be paid such low wages that it is necessary to go to the New Willard or the Raleigh to make a living. With all this talk about better pay for employees, it seems to me a man or a laborer at the White House should be given a living wage. Anybody knows, if he knows anything at all about the high cost of living to-day, that it is absolutely impossible for a man to live and keep a family, especially with a sick wife losing her eyesight, on such a low scale of wages. The gentleman from Tennessee should not insist on his point of order, because these are men entitled to pay sufficient to justify them in not being compelled to go out to the New Willard and the Raleigh. The New Willard and the Raleigh pay their men \$2 a day and board them besides. Yet these men have not a sufficient amount of money to support them and they have to go out to places and to hotels and work at night.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. DILL. Certainly.

Mr. COOPER of Wisconsin. How long has that been the pay of this employee?

Mr. DILL. He says he has been there 10 or 12 years and has received only one raise of 25 cents. Since this case has become public he has received 25 cents more, I take it, because the disbursing clerk at the White House told me that he is now receiving \$60 a month.

Mr. COOPER of Wisconsin. Had he a predecessor in the same position?

Mr. DILL. I do not know about that.

Mr. COOPER of Wisconsin. I asked the question because I am informed that there are employees in the city getting \$60 a month, which is the same pay their predecessors had before the Civil War.

Mr. DILL. I think that is true. I have made no investigation of this case in regard to that matter, but I have made investigation as to others.

Mr. COOPER of Wisconsin. It is time that pay was raised.

Mr. BYRNS of Tennessee. Is the gentleman certain that his amendment covers the particular individual to whom he refers? These three laborers mentioned in this paragraph are in the President's office. I do not think that the individual to whom the gentleman refers and whose testimony he has been reading is covered or carried in this appropriation.

Mr. DILL. In reply to the gentleman I may say that yesterday I took up this question with the disbursing clerk of the White House and I asked him whom these three laborers are that receive this salary, and he informed me that one of them was Charles Williams, and I take it that he is the same man because he has been there for a number of years.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. DILL. Yes.

Mr. STAFFORD. Did the gentleman inquire as to how it was that the gentleman filling this position was receiving 25 cents a day less than the Congress had voted, when for several years Congress has voted a salary of \$720 a year?

Mr. DILL. He says in this statement that he and the other firemen and employees in other public buildings get \$2 a day.

Mr. STAFFORD. Is the gentleman aware of the fact that in this very position Congress has provided the pay for several years past at \$720 a year? According to the testimony the gentleman read the man was receiving only \$1.75 a day until within a year or so.

Mr. DILL. He said that he was receiving \$1.75 a day. That was last April.

Mr. STAFFORD. And yet Congress was providing a salary at a basis of \$720 a year, or more than \$2 a day. Did the gentleman inquire of the disbursing clerk as to the reason he was not receiving the full allowance which Congress had voted for the position?

Mr. DILL. I may say to the gentleman that this witness at the time he testified said that he was then under the public buildings and grounds appropriation.

Mr. BYRNS of Tennessee. On a per diem basis.

Mr. DILL. A per diem of \$1.75; but I take it from the statement of the disbursing clerk yesterday that he had been transferred or promoted.

Mr. STAFFORD. The fact is that Congress has been appropriating for this position for several years past at \$720 a year.

Mr. DILL. I think that is true.

Mr. BYRNS of Tennessee. Then the gentleman has read a statement as to the services rendered by Mr. Williams when he was on the per diem basis. Mr. Williams now, according to the statement of the gentleman, is located in the President's office, and is not the fireman, and does not have to perform the services referred to.

Mr. DILL. I take it it would make no difference whether he got \$2 a day for firing or \$2 a day for something else. The fact is that the man can not make a living at that rate with foodstuffs at the price they are.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. BYRNS of Tennessee. Mr. Chairman, I wish to call the attention of the gentleman from Washington and also of the committee to the fact that we have passed over several items with reference to the Library and the Capitol Building and Grounds where laborers are employed at \$600 a year and at \$660 a year. The gentleman offered no amendment for the purpose of raising their salaries. I want to call the attention of the committee to the fact that this bill contains a recommendation to the House providing for a 10 per cent increase of these salaries and all other salaries under \$1,200 a year.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GOOD. I will ask the gentleman if we have not for this laborer provided an increase of \$72 a year over that recommended by the President himself?

Mr. BYRNS of Tennessee. Precisely. I was just going on to state that there was no estimate submitted to the committee asking for an increase for pay of these laborers in the White House. The committee acted upon the estimate submitted by the President of the United States, acting through his secretary, no doubt, and granted just the salary requested, and in addition to that, as the gentleman from Iowa [Mr. Goop] suggests, the committee has gone further and recommended an increase of 10 per cent in this particular man's salary.

Mr. BUCHANAN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. BUCHANAN of Illinois. Will it be in order to offer an amendment to give more than 10 per cent when we reach that particular part of the bill that provides for it?

Mr. BYRNS of Tennessee. I do not know. Of course, as it stands in the bill it would be in order, but what may be the situation when we reach that section I am not prepared now to say.

Mr. BUCHANAN of Illinois. I would like to ask any gentleman to inquire of himself whether he thinks \$60 a month, or even \$70 a month, is sufficient for a man to live on and maintain the proper standard of living, with the present high prices, and I would like to ask gentlemen if it is not worth while for us to give serious consideration to giving a greater increase than is provided in this bill to the employees of the Government. We talk about preparedness. Is there anything more important in the nature of preparedness than to prepare our citizenship so that they can live properly and preserve their physical and mental resources? I think not.

Mr. DILL. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DILL. The gentleman calls attention to the fact that certain laborers were passed over on Tuesday. That is true. They were laborers in some of the departments, and I at that time had not been able to make an investigation, because we had just finished the Indian appropriation bill, and I am a member of that committee. In reply to what the gentleman says regarding the increase of 10 per cent, then he would only have \$66 a year extra, and I think he ought to have \$70 more, and the 10 per cent added to that, especially in the light of the fact that the Secretary of Commerce says that the increase in cost of foodstuffs has been 34 per cent in a year. That certainly

justifies a reasonable increase in the wages of these men—not only this man but every other man who receives the miserably low wages that men are receiving here.

Mr. BYRNS of Tennessee. Mr. Chairman, the gentleman talks of the low wages paid to the laborers here in the departments.

I am in favor—and have always been in favor—of giving fair and liberal wages; but I want to call the attention of the gentleman to the fact that the laborers here in the departments in Washington are receiving more money for the amount of service they actually perform than laborers in private employment all over the country, not only in my own State but in the State from which the gentleman himself comes. These laborers only work 7 hours a day. They get 30 days' leave of absence upon full pay. They get a number of holidays during the year, and in addition to that they have 30 days' sick leave, when they are sick, upon full pay, and that is something that the gentleman can not claim for the laborers in the State of Washington, and when he undertakes to talk about the small pay paid to the laborers here in Washington I want to refer the gentleman to the pay that laborers receive performing similar services in his own State and in other States of the Union. For my part I believe the laborers in the departments of Washington are receiving liberal wages as compared with the wages given for similar employment in private establishments. In addition, the committee has gone further and recommended to Congress that it give them 10 per cent increase owing to present conditions, amounting to \$6 a month. Therefore, Mr. Chairman, I make the point of order.

The CHAIRMAN. The time of the gentleman has expired. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

BUREAU OF EFFICIENCY.

To enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1916, to establish and maintain a system of efficiency ratings, to investigate administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by the legislative, executive, and judicial appropriation acts for the fiscal years 1913 and 1914, respectively, and to investigate duplication of statistical and other work and methods of business in the various branches of the Government service; for purchase or exchange of equipment, supplies, stationery, books and periodicals, printing and binding, traveling expenses not exceeding \$5,000, and street car fare not exceeding \$50; in all, \$43,000: *Provided*, That no person shall be employed hereunder at a compensation exceeding \$4,000 per annum.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last word for the purpose of giving notice of an amendment I shall offer to the last paragraph of this bill providing for an increase of salary for the clerks in the Government service. I wish to give this notice now, so that the proposed amendment can go in the Record and be considered by the Members in the meantime. I ask that the Clerk read it.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to have the Clerk read in his time the amendment referred to. Without objection, it will be done.

There was no objection.

The Clerk read as follows:

That from and after the passage of this act the wages, salaries, or compensation of persons employed by the United States Government, by the District of Columbia, or employed in either House of Congress, shall be increased according to the following schedule:

First. Every employee now receiving \$900 per annum or less shall receive an increase in wages, salary, or compensation of 25 per cent.

Second. Every employee now receiving more than \$900 and less than \$1,400 per annum shall receive an increase in wages, salary, or compensation of 20 per cent.

Third. Every employee now receiving \$1,400 and less than \$2,000 per annum shall receive an increase of wages, salary, or compensation of 15 per cent.

Fourth. Every employee now receiving \$2,000 per annum and less than \$2,600 shall receive an increase in wages, salary, or compensation of 10 per cent.

SEC. 2. That the above schedule shall apply to employees working on a per diem basis as well as those receiving an annual salary.

The Clerk read as follows:

CIVIL SERVICE COMMISSION.

For commissioner, acting as president of the commission, \$4,500; 2 commissioners, at \$4,000 each; chief examiner, \$3,500; secretary, \$2,500; assistant chief examiner, \$2,250; 3 chiefs of division, at \$2,000 each; examiners—1 \$2,400, 3 at \$2,000 each, 6 at \$1,800 each; clerks—6 of class 4, 28 of class 3, 39 of class 2, 52 of class 1, 34 at \$1,000 each, 22 at \$900 each; messenger; assistant messenger; skilled laborer, \$720; 4 messenger boys, at \$360 each. Custodian force: Engineer, \$840; general mechanic, \$840; telephone-switchboard operator; 2 firemen; 2 watchmen; 2 elevator conductors, at \$720 each; 3 laborers; 4 charwomen; in all, \$285,730.

Mr. McCracken. Mr. Chairman, I desire to move to strike out in line 15, page 30, the figures "\$4,500" and substitute in lieu thereof "\$7,500," and in the same line the figures "\$4,000" and insert in lieu thereof "\$7,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend on page 30, in line 15, by striking out "\$4,500" and inserting "\$7,500," and striking out "\$4,000" and inserting "\$7,000."

Mr. Sisson. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. Does the gentleman from Idaho desire to be heard?

Mr. McCracken. I will ask the gentleman from Mississippi to reserve the point of order.

Mr. Sisson. I will reserve the point of order.

Mr. McCracken. Mr. Chairman, it would seem that those gentlemen who are in charge of one of the most important departments of the Government ought to be paid a larger salary than that which they now receive. I can not imagine how the gentlemen upon this committee can expect to obtain competent men to perform the work which these men are required to perform for the sum of \$4,500 a year and \$4,000 a year.

Mr. STAFFORD. Will the gentleman yield?

Mr. McCracken. I will.

Mr. STAFFORD. Does the gentleman mean to cast a reflection upon the present members of the commission that they are not competent because they are only receiving these salaries?

Mr. McCracken. Not at all. The gentleman does not get my idea, but why should not these men receive more salary than they receive? This is one of the most important departments of the Government, and I submit, gentlemen, these salaries ought to be increased.

Mr. Sisson. Mr. Chairman, your committee which has charge of making up this bill went very carefully into all these matters but there happens to be a class of people that seems to be forgotten by a great many people, and that is the public. There are two classes of people affected materially, one is the man who pays the bill and the other is the man who receives the wage. The Congress of the United States are here for the purpose of representing their constituents and for the purpose of taking care of the governmental expenses. I want to repeat what the gentleman from Tennessee [Mr. BYRNS] just said a moment ago. We have made a good many investigations since I have been upon this committee as to the character of the work performed and the wages paid in private life.

There is no question on earth that if they work the same number of hours per day and are required to do the same amount of work here that they would be required in private life to perform, they are getting infinitely better wages in the Government service than they would get elsewhere. When you take into consideration the holidays and leaves of absence which they have and the consideration they receive at the hands of the Government, and the fact that they work only seven hours a day, it seems enough to convince all of us that the wages of the Government employees are infinitely better than those of men in private life.

Mr. McCracken. Will the gentleman yield?

Mr. Sisson. In one moment.

Now, I am unwilling as a Representative on this floor to always forget the people back home and to always forget the taxpayer and only remember that human being who happens to be close to us and importunate in his demand for increased wages. It is true in every department of this Government that men seem to be dissatisfied with the salaries which they get. I am not blaming them, but I am blaming Members of Congress who on all occasions, whether these men are entitled to an increase of wages or not, insist that wages be increased all down the line.

As to the high cost of living, as soon as the European war is over there will be an enormous reduction in that; and there will be no reduction in the salary, no reduction in the burden which the people of this country will have to continue to bear. One increase may look harmless on its face, but when it goes through the whole Government service, involving something like a million of employees, it becomes too burdensome on the taxpayer. It is estimated that in the next current fiscal year the burden will be something like \$1,600,000,000, and it was only when Mr. Reed was Speaker that this Congress paid out \$500,000,000 each Congress instead of \$1,600,000,000, making \$1,000,000,000 in two years, and the country was so startled that the newspapers rung it out like a fire bell at night; but since that time you have increased it over 100 per cent, and men are not satisfied with the increase.

Now I yield to the gentleman from Idaho [Mr. McCracken].

Mr. McCracken. The gentleman realizes the importance of the work these men do?

Mr. Sisson. I do; and, as the gentleman said a while ago, we have the same personnel there that we have had all the while. You are not going to increase the efficiency of these men there at all. On the other hand, taking into consideration men of that character—and they are splendid gentlemen—the salaries they receive are better than the salaries elsewhere,

except those up near the head of the great corporations, railroads, and so on, and there there is usually a stock value in the salary.

Mr. McCracken. I would like to inquire if these men are not paid less for services they perform for this Government than men who are paid for similar services elsewhere?

Mr. Sisson. I do not think so. They simply have to carry out the civil-service laws that we pass. They simply have to hold examinations and, as a matter of fact, in presiding over that department it requires no such peculiar technical knowledge and skill as to preside over the other departments.

Mr. Moore of Pennsylvania. Will the gentleman yield?

Mr. Sisson. I yield.

Mr. Moore of Pennsylvania. Is it not true that the Executive relieves the Civil Service Commission of a very large part of their work, and therefore there is no necessity for increasing their salary at this time?

Mr. Sisson. As a matter of fact, if the gentleman can ingraft that upon the policy of the administration I would be willing to relieve them of a great deal of work they are doing. The fact is, he is keeping the lid on too tight. If there ever should come a day in the distant future when the gentleman and his party control the Government, they will do well to keep the lid on as close as the Executive is keeping it on, because if there is one thing that the President excels all others in it is that the lid is kept on tight, so much so that men on this side of the House feel that they do not get that to which they are entitled. I wish the gentleman from Pennsylvania would tell us how to do it.

I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

Mr. Dill. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 30, line 22, after the word "messenger," insert "\$840."

Mr. Byrns of Tennessee. Mr. Chairman, I make the point of order on the amendment.

Mr. Dill. This is for assistant messenger. I understand his regular classification is \$720.

Mr. Byrns of Tennessee. Mr. Chairman, I do not see any reason for discussing the amendments to these different provisions. It is merely taking up time, and I make the point of order.

Mr. Dill. Is that fixed by law?

Mr. Byrns of Tennessee. It is fixed by law at \$720.

The CHAIRMAN. The Chair sustains the point of order.

Mr. Dill. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Washington offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 30, line 21, after the word "each" in line 21, insert the word "two," and after the word "messenger" strike out the words "assistant messenger."

Mr. Byrns of Tennessee. Mr. Chairman, I would like to hear that read again, and I ask for order.

The amendment was again reported.

Mr. Byrns of Tennessee. Mr. Chairman, I reserve a point of order on that until I can tell what it is.

Mr. Dill. Mr. Chairman, I take it that we have a right to have another messenger there, and not appropriate for the assistant messenger.

Mr. Fess. You can do that.

Mr. Dill. I see no reason why you can not cut out the assistant messenger and make it two messengers. My reason for this amendment, Mr. Chairman, is that the assistant messenger and the messenger in this department, as in every other department of the Government, practically do the same work, and yet you pay the messenger \$840 and the assistant messenger \$720.

In the hearings that were had touching these wage questions it has been shown that the assistant messengers have been on the roll for 10 or 15 years at \$60 a month, and under the present scale of wages unless a messenger dies there is no hope of increase for the assistant messenger. Yet all the time they are doing exactly the same work. I have it from the head of departments, one after another, that they do the same work, identically the same things. It seems but fair and proper, in the light of the tremendous increase in the cost of living, that these assistant messengers should be abolished and that messengers should be appointed in their stead and paid a living salary. I do not believe that anyone with a family could live on \$60 a month with prices as they are in this city.

The gentleman from Tennessee a few moments ago saw fit to talk about the wages which men receive in the various cities in private employment as compared with what they receive under the Government. I am glad the gentleman called the attention of the House to this subject, because the facts show that men in private employment are really receiving far more, and have been receiving increases of wages for years. Yet the Congress of the United States has been establishing these positions at these low rates, which were at the time looked upon as living wages when prices were normal, yet to-day everything that a man has to buy to keep a family has increased 30 or 40 or sometimes 100 per cent. The reports of the Bureau of Statistics show that food products have actually doubled in price. Yet you propose to let these men go on under this Government with an increase of but 10 per cent in wages.

Now, it seems to me that Congress ought to look at this thing in a sensible and reasonable manner. When firms throughout the country in the past have been increasing the wages of their employees 2 and 3 per cent, they have now increased them 15 and 20 per cent. Certainly the Government ought to organize its pay roll in such a way that no man who works eight hours a day for the Government should be compelled to go out and take extra work and have his wife take in boarders or do washing, or something of that sort. I believe such a rate of wages should be paid that a man can live, and live in a decent manner. These messengers must dress well and appear well, and at the price of clothing to-day a man can not do that at the wages paid these men.

Mr. Byrns of Tennessee. Does the gentleman realize what he is seeking to do if this amendment passes? Does the gentleman know what the result will be? It will result in turning this man out of the service, and turning him out on the street without a job, unless he stands a civil-service examination for messenger and makes the highest grade.

Mr. Dill. I think he had better be out than stay in at that rate. He can go out and make a better living.

Mr. Byrns of Tennessee. Why does he not go?

Mr. Dill. That is the question that is always asked when an increase of wages is requested. That is what is asked when some one is working at an insufficient rate of pay and eking out a bare living. In light of the fact that the Government took in more than \$26,000,000 in increased income taxes alone, it does not seem unreasonable that this Government should give a small part of it to the men who work for it.

Mr. Good. Mr. Chairman, will the gentleman yield?

Mr. Dill. Yes.

Mr. Good. The testimony taken before our committee was to the effect that the Bureau of Efficiency went into the Post Office Department to assist the Postmaster General in establishing there efficiency ratings, and that at the request of the Postmaster General the salary of all employees was rated at from 20 to 25 per cent more than similar employees received in private employment. That same rate of increase is borne out throughout this entire bill. The men who are getting \$840 in the Government service doing the work of messengers receive about \$600 a year in private employment.

There is no use in getting hysterical about this matter. We have to face the facts as they exist. The gentleman would increase the cost to the Government for clerical help more than 25 per cent, whereas the Government now pays a rate far above that received in private employment. Of course it is up to the House to decide the question.

The CHAIRMAN. The time of the gentleman from Washington has expired. Does the gentleman from Tennessee insist on the point of order?

Mr. Byrns of Tennessee. I do not insist on the point of order.

The CHAIRMAN. The gentleman from Tennessee withdraws his point of order.

Mr. Byrns of Tennessee. I only want to say this with reference to the amendment. If this amendment is adopted, it will simply result in taking this assistant messenger out of the service, and instead of rendering a favor to this particular assistant messenger the gentleman from Washington, by his amendment, seeks to eliminate the man from the service of the United States and turn him adrift without any job whatever.

Mr. Dill. Can not the assistant messenger take an examination for the messenger place?

Mr. Byrns of Tennessee. Yes; he could take the examination for a messenger place, but he must take it in competition with other applicants all over this country. They have got an eligible list now at the Civil Service Commission for messengers, and it would not be necessary, in all probability, for an examination to be held, and on June 30 this assistant messenger would find himself without a job. It would be necessary, then, for the depart-

ment to appoint a messenger, and they would simply go to the register already established and select their man from those who stood highest on the list. The gentleman, I say, by his amendment, is absolutely seeking to deprive this assistant messenger of any opportunity to serve the Government at all and would deprive him of the job he now holds.

Now, Mr. Chairman, we hear a great deal on the floor here about the pay given to employees of this Government; we hear a great deal about the inadequacy of the pay given the employees of the Government; but I have yet to hear any of these gentlemen who are making these statements say anything in behalf of those who have to pay these salaries. They do not take into consideration the fact that these salaries are paid by the people—paid out of the Treasury of the people whom we have been sent here to represent—and I think that instead of coming here and growing hysterical over the salary paid to this man and that man we ought also to consider those who have to pay them, the taxpayers whom you and I represent.

As far as this particular position is concerned, as the gentleman from Iowa [Mr. Goon] has stated, the United States Government is to-day paying, according to the testimony submitted to the Committee on Appropriations, from 15 to 30 per cent more for positions of this kind than is paid to men holding similar positions and performing similar services in private employment.

In addition to that, the Committee on Appropriations, as I said a moment ago, have recommended to Congress that they give this particular assistant messenger and all other employees of this Government under \$1,200 an increase, if you please, of 10 per cent over and above the amount they are now receiving. I ask for a vote.

The question being taken, the amendment was rejected.

Mr. DILL. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Washington offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILL: Page 30, line 23, after the words "skilled laborer," strike out "\$120" and insert "\$840."

Mr. BYRNS of Tennessee. I make the point of order, Mr. Chairman.

Mr. DILL. Mr. Chairman, just a moment.

Mr. BYRNS of Tennessee. I make the point of order.

Mr. DILL. I should like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Washington.

Mr. DILL. There are skilled laborers in all the departments—

Mr. Sisson. Mr. Chairman, I want the gentleman to confine himself to the point of order.

Mr. DILL. There are skilled laborers provided in this bill at different salaries. The gentleman has given no reason why, when this skilled laborer is receiving only \$720, it would be out of order to raise his salary to \$840, when the others are given \$840 or \$900, as the case may be.

The CHAIRMAN. Does the gentleman from Tennessee desire to say anything on the point of order?

Mr. BYRNS of Tennessee. Nothing, except that this salary was fixed in the legislative bill last year.

The CHAIRMAN. The law fixes the amount at \$720?

Mr. BYRNS of Tennessee. Yes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DILL. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILL: Page 30, line 23, strike out "\$360" and insert "\$420."

Mr. BYRNS of Tennessee. I make the point of order, Mr. Chairman.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. DILL. Mr. Chairman, the rates of pay for these messenger boys are changed throughout the bill, and it seems to me that there is no reason why the pay of this messenger boy should not be raised. As I understand it, this messenger boy's pay is fixed by the committee.

Mr. BYRNS of Tennessee. No.

The CHAIRMAN. This is the amount carried in the prior bill?

Mr. BYRNS of Tennessee. This is the amount carried in the prior bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. DILL. Mr. Chairman, I have another amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILL: Page 30, line 23, after the word "engineer," strike out "\$840" and insert "\$900."

Mr. BYRNS of Tennessee. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

Division of Customs: Chief of division, \$4,500; 2 assistant chiefs of division, at \$3,000 each; supervising tea examiner, \$2,750; law clerks—4 at \$2,500 each, 3 at \$2,000 each; clerks—5 of class 4, 4 of class 3, 6 of class 2, 9 of class 1, 5 at \$1,000 each; 2 messengers; assistant messenger; in all, \$71,250.

Mr. CLARK of Florida. Mr. Chairman, I move to strike out the last word. I send to the Clerk's desk an editorial from the Washington Post, which I ask the Clerk to read as a part of my remarks.

The CHAIRMAN. The Clerk will read it as a part of the gentleman's remarks.

The Clerk read as follows:

PUBLICITY ON "PORK."

As an interesting preliminary to the thirtieth annual convention of the National Rivers and Harbors Congress, which meets here December 6, its president, Senator RANSDELL, of Louisiana, has particularly invited the attendance of those who know all about "pork" in river and harbor bills.

These gentlemen, Senator RANSDELL has announced, will be given every opportunity to enlighten the public as to the iniquities contained in the various bills that are to be presented for the consideration of Congress, in so far as these are related to rivers and harbors.

The fact that for the most part the allegations of "pork" are made by patriots living several thousand miles away from the place where the appropriations are to be applied will not prevent the objectors from being heard at the waterways congress. The only restriction is that they are not to deal in generalities, but to get down to facts. Instead of heaping abuse on this or that project they will be expected to tell what they really know about it and to point out definitely the objections to the contemplated improvements or to explain exactly why the money to be appropriated will not effect the desired results.

There can be no question that the chief outcry against Government appropriations comes from the man far removed from the place of expenditure. Neither is it to be considered strange that human nature should regard blandly any form of local improvement as being justified. At the same time Senator RANSDELL's open invitation is an appeal to the fair-mindedness of the public that should not be ignored. It is the one proper answer to a host of general and indefinite charges. The fact cited by the Senator that every waterway project in the United States is passed upon by the Chief of Engineers and the Board of Engineers for Rivers and Harbors before being submitted to Congress deserves the widest possible publicity.

Probably the final test of sincerity has been applied in the good-roads law, which requires that each State furnish its equivalent before the Federal appropriation for that State becomes available. Many of the river States, however, have long been paying large sums for waterway improvements from State funds. In other cases the nature of the project is such that the Nation rather than the State is the beneficiary of the improvements, thus indicating that their cost is a legitimate Federal charge.

Mr. CLARK of Florida. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Office of Auditor for War Department: Auditor, \$4,000; assistant and chief clerk, \$2,250; law clerk, \$2,000; chief of division of accounts, \$2,500; chief of claims and records division, \$2,000; 2 assistant chiefs of division, at \$1,900 each; chief transportation clerk, \$2,000; clerks—26 of class 4, 53 of class 3, 59 of class 2, 53 of class 1, 16 at \$1,000 each, 8 at \$900 each; skilled laborer, \$900; 2 messengers; 5 assistant messengers; 9 laborers; messenger boy, \$480; in all, \$332,150.

Mr. DILL. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DILL: Page 41, line 1, after the figures "\$900," strike out "two" and insert "three," and, in line 2, strike out "five" and insert "four."

Mr. BYRNS of Tennessee. Mr. Chairman, I reserve a point of order on the amendment.

Mr. DILL. Mr. Chairman, I do not think any point of order will lie against this amendment. The report of the committee states that there is a new assistant messenger being established. This is simply a method of establishing one more of these low-priced positions. The purpose of my amendment is to prevent the establishment of a messenger at \$720 a year who will do the same work that other messengers do at \$840 a year, and my desire is to give this man, whose position is to be established, a living salary.

Mr. MANN. Will the gentleman yield for a question?

Mr. DILL. Yes.

Mr. MANN. Why did not the gentleman propose then to have seven messengers and no assistant messengers?

Mr. DILL. A while ago I proposed such an amendment, and I was told that it would throw all of these gentlemen out of the positions they now hold.

Mr. MANN. If it would throw them all out, then it would throw this one out.

Mr. DILL. Oh, no; this is a new one to be established.

Mr. MANN. Not at all. The gentleman proposes to reduce the number of assistant messengers and to increase the number of messengers. There are five assistant messengers. Who is the favored one?

Mr. DILL. The report of the committee says that they are establishing a new assistant messenger.

Mr. BYRNS of Tennessee. No; a new messenger.

Mr. MANN. A new messenger. I do not know what the report is. I know what the bill is. Last year there was one messenger and the bill now provides for two messengers.

Mr. DILL. I was simply relying upon the report of the committee, which I took to be correct. If the gentleman from Illinois is correct—

Mr. STAFFORD. The gentleman from Illinois is always correct in these matters.

Mr. DILL. It reads:

The following additional employees are provided. . . . One assistant messenger, \$720.

Mr. BYRNS of Tennessee. The gentleman is reading under the heading "Auditor for the Navy Department." If he will look on page 4 of the report he will find the statement with reference to the Auditor for the War Department.

Mr. DILL. I withdraw the amendment.

The CHAIRMAN. The amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Office of Auditor for Navy Department: Auditor, \$4,000; chief clerk and chief of division, \$2,250; law clerk, \$2,000; chief of division, \$2,000; assistant chief of division, \$2,000; clerks—13 of class 4, 24 (including 1 transferred from register's office) of class 3, 21 of class 2, 25 of class 1, 8 at \$1,000 each, 7 at \$900 each (including 1 transferred from register's office); helper, \$900; messenger; 2 assistant messengers; 3 laborers; in all, \$152,910.

Mr. DILL. Mr. Chairman, I will now make the motion which I tried to make a moment ago, namely, to amend in line 11, after the figures "\$900" by inserting "two," and after the word "messenger" strike out "two" and insert "one."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, line 11, after the figures \$900 insert the word "two." And after the word "messenger" strike out the word "two" and insert the word "one."

Mr. DILL. Mr. Chairman, I want to say a few words as to the work of these assistant messengers and what they have to do and the kind of lives they have to lead. In the hearings on the Nolan bill—and I read from the hearings because they are extremely difficult to find, almost as difficult to get hold of as a gold coin in Europe at this time. I was unable to borrow or beg one and had to go to the library for it. I do not know why they are not printed. On page 290 one of these messengers who receives the magnificent salary which the gentleman from Tennessee [Mr. BYRNS] says is sufficient, and which is better, he says, than could be had in private employment—

Mr. BYRNS of Tennessee. If the gentleman will pardon me, I said it was better than the salary paid in the gentleman's own State for similar services.

Mr. DILL. That I deny.

Mr. BUCHANAN of Illinois. For the sake of the argument, suppose it is. Is that any reason why the Government should not pay adequate wages?

Mr. DILL. Not at all, and the gentleman from Tennessee begs the question.

Mr. BUCHANAN of Illinois. It is no argument from my point of view to say that somebody else pays unjustifiable wages.

Mr. DILL. The gentleman from Illinois is absolutely correct. Mr. Goldman, who is an assistant messenger in the Adjutant General's office, testifying, said that he had been working ever since he was 12 years and 5 months old. He said that he went into the Government service in 1906 and had been there all this time and never had any trouble; that he was getting \$60 a month; and that the other boys up there were getting the same who have been there 25 years. He said there were 53 in his class at \$60 a month.

He goes on to say that he does not want to be personal in the matter, but he tells how he manages to live and keep a family on the wages of \$60 a month, a year ago when the prices of the necessities of life were only half or two-thirds what they are to-day.

This amendment is to prevent the establishment of another low-paid position. He says that he lives at Twenty-fourth and S streets and never uses a street car but always walks. He says:

We never ride; we watch all the sales and buy things as cheaply as we can, and the very least we can set the table for is \$25 a month. We have to pay \$1.50 a month for gas and \$1.25 for milk, and I pay

\$2.50 for insurance. It is necessary for my wife to drink milk now, on account of nursing the baby. It is a case of skimp, skimp, skimp all the time.

I have heard some one say somewhere that a man ought to have two suits a year, or something to that effect. I have not had a suit in six years—a full suit. I buy a pair of pants sometimes, and then I get a coat. But I have never had a full suit, out and out, for fully six years.

I had a little money when I came out of the Navy, but it was soon gone, and I never have had any since. We never pay out anything for our washing. Every week I go home and jump into the washtub and wash, and help out that way. I have never spent a cent on tobacco or on intoxicating liquor.

Then he goes on to tell that his wife wakes up in the night and sometimes asks if the Nolan bill will pass. Such is the hope that has been awakened in his wife's mind for the passage of the Nolan bill.

Now, Mr. Chairman, in the light of this testimony alone, it seems to me that it ought to be sufficient to prevent Congress from establishing another low-priced position, one where if in the future you should attempt to raise the salary you are met by a point of order.

Mr. MANN. Mr. Chairman, we recently passed over, in the consideration of this bill, a provision for the payment of salaries to employees of the House. We employ, under the office of Clerk, six laborers at \$720 a year and two janitors at \$720 a year. We employ a great many so-called janitors, but they are all messengers for various committees, at \$720 a year. Nearly all the messengers employed by the different committees in the House receive \$720 a year. So far as I have observed in my service in the House, there has been no dissatisfaction by these messengers with their jobs. They were formerly called messengers, but they are now called janitors. They have much more important duties to perform than a mere messenger in the departments. This bill contemplates an increase in the salary of the department messengers of 10 per cent. It contemplates no increase in the salaries of the messengers under the House. I did not hear the gentleman from Washington, although I was in the Chamber, or anybody else propose that there should be any increase in the pay of these messengers who are working for us, nor have I observed in looking at them that they are lean and gaunt and half-starved and poorly dressed. Most of them are good-looking chaps, and they have to be fairly well dressed when they work around this House. You can always find in the world some improvident man with a hard-luck story about how he can not live or save on what he receives. Doubtless the salaries or wages paid are not high. I would be glad to see an increase made; but believing that charity begins at home, if I was going to make an increase in the payment of salaries of individual messengers, I would not commence with the Civil Service Commission nor any of the other executive departments of the Government. I would commence with the employees of the House of Representatives, whom we know, and we know whether they do the work or not.

Mr. COOPER of Wisconsin. Mr. Chairman, there is one thing which I think possibly the gentleman from Illinois [Mr. MANN] forgot, and that is that these messengers to committees of the House will work here from December until March as messengers of these committees, and that then, in March, they will go home and engage in other occupations until the December following. It is my understanding that all of the time they are not in Washington they will draw their salaries as messengers to the committees. That is somewhat different from the facts relating to the man who stays here in Washington and works all of the time and tries to support a family in Washington on \$60 a month—quite different.

Mr. DILL. Mr. Chairman, in reply to the gentleman from Illinois [Mr. MANN], I think it is hardly an argument worthy of very much consideration that the patronage appointees of this House, who the gentleman from Wisconsin [Mr. COOPER] has just stated serve only a part of the time, and who, being political appointees, necessarily have certain liberties that are not enjoyed by the men in the departments—I think such an argument is not worthy of much consideration when we compare those people with the men who are compelled to depend absolutely upon the money they receive here in their daily work, men who have been faithful for years and who see no chance of promotion. Especially is this so at a time like this, when living is as high as it is. It seems to me that we can ill afford now to create some more poorly paid positions. It may be sound argument in the gentleman's estimation, but not in mine, why we should not raise salaries; but certainly we should not create any more low-paid positions.

Mr. MANN. Mr. Chairman, the distinction which the gentleman from Wisconsin [Mr. COOPER] draws seems to me argues against the proposition. The messengers of the committees of the House, if they go home during the recess, have to pay their traveling expenses home and back again, and the Government

makes them no recompense for that. They do not engage in other occupations which bring them in an income. Men who work for the committees of the House are not permitted to engage in other occupations by the men under whom they serve. They are required sometimes, if they go home, to pay their traveling expenses there and back; but these boys around the House here, to whom I first referred, out here in the cloak-rooms, out here in the toilet rooms, have to stay here and work during the entire year.

Mr. KING. And they work more than seven hours a day, too.

Mr. MANN. Yes; a good deal more than eight hours a day.

Mr. COOPER of Wisconsin. I was referring in what I said, Mr. Chairman, if the gentleman will permit, to the only employees whom I understood the gentleman from Illinois to mention in his first address, the janitors of the committees.

Mr. MANN. Oh, the gentleman will pardon me. I quoted particularly other employees of the House.

Mr. COOPER of Wisconsin. Then I was mistaken, but I know the gentleman did mention the janitors of the various committee rooms, formerly called messengers.

Mr. Chairman, this whole question of raising or not raising the salary of Government employees can be summed up in this way: Take, for instance, men who now receive \$60 a month who live in the city of Washington. That salary, I am told, was established, in some instances, before the Civil War, and the men who preceded the present occupants of the positions received the same sum. Suppose we take that salary 15 or 20 years ago. Since that time the cost of living has increased 40 per cent, to put it at a minimum, and in many things more than that. That to-day is precisely as if we reduced his salary 40 per cent from what he first received. In other words, it is exactly as if he were receiving a reduction of \$240, which would be as though his original salary had been fixed at \$360 a year, less than a dollar a day—and that from the richest Government that the world has ever known. It is immaterial if some private employers in the city of Washington see fit to give their employees a stipend like that. That is entirely immaterial. It is the duty of the Government of the United States to make itself a model employer and not compel any of the people in its employ to work for what are really starvation wages in the city of Washington.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not care to say anything in regard to this amendment offered by the gentleman from Washington [Mr. DILL] except to call the attention of the committee to this fact: The Auditor for the Navy Department requests in his estimates to Congress that we provide him with an additional assistant messenger, and the committee in its recommendation to the House acted favorably upon that request and has recommended the employment of an additional assistant messenger. The Auditor of the Navy Department says that what he needs down there is another assistant messenger, and while I have great regard for the knowledge of the gentleman from Washington [Mr. DILL] in respect to the various departments and their bureaus, I must say that I prefer to consult the Auditor of the Navy Department as to exactly what he needs in his bureau rather than the gentleman from Washington, who is possibly not so entirely familiar with the needs of the Auditor of the Navy Department.

Mr. DILL. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. DILL. Is it or not a fact that these assistant messengers do practically the same work as the messengers?

Mr. BYRNS of Tennessee. It is not as important a position as that of messenger.

Mr. DILL. What is the difference in their duties?

Mr. BYRNS of Tennessee. The messenger is frequently qualified to perform possibly sometimes some clerical work, if needed, and he has charge of the assistant messengers, and his work is more responsible and important. The assistant messengers are called upon to carry messages from bureau to bureau. Then, further, I want to again call the gentleman's attention to the fact, which he seems to have forgotten, that the committee has recommended an increase of 10 per cent on all of these salaries, and that this assistant will not get \$720 a year, but that he will get \$792 a year under this bill if that recommendation goes into effect. The gentleman, however, is seeking to provide a \$840 messenger instead of the position that the Auditor for the Navy Department requests, and then to give him \$84 in addition to the \$840—something that the auditor has not asked and does not expect and does not want. Mr. Chairman, I ask for a vote.

Mr. DILL. Oh, if the gentleman will permit, I may say I have talked to some of these auditors and they are perfectly willing to have higher-priced positions filled, but they say they have so much difficulty in getting salaries increased at all that they do not want to ask for higher-priced places.

Mr. BYRNS of Tennessee. Certainly, this auditor can not undertake to make any contention like that, because his estimates were granted in full. Mr. Chairman, I ask for a vote.

The CHAIRMAN (Mr. LEVER). The question is on the amendment offered by the gentleman from Washington.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Postal Savings System: Clerks—11, at \$1,000 each; 7 skilled laborers, at \$900 each; in all, \$17,300.

Mr. DILL. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. I note on page 42 there is a lump-sum appropriation of \$284,000 provided for the Auditor for the Post Office Department. I would like to ask how the wages are fixed for that amount?

Mr. BYRNS of Tennessee. If the gentleman will read the paragraph, he will find the compensation is fixed by the Secretary of the Treasury.

Mr. DILL. Which means, in fact, that the Post Office Department auditor fixes it.

Mr. BYRNS of Tennessee. On the contrary, the law states they are fixed by the Secretary of the Treasury. He may make certain recommendations to the Secretary of the Treasury, but after all they are fixed by the Secretary himself.

Mr. DILL. I understand; but in actual practice they are actually fixed by the auditor.

Mr. BYRNS of Tennessee. Oh, no; I do not concede that for a moment.

Mr. DILL. I do not say that the Secretary does not O. K. it, but they are really made by this auditor.

Mr. BYRNS of Tennessee. I do not concede that for a moment. These salaries are actually fixed by the Secretary of the Treasury.

Mr. DILL. And they are fixed upon the basis of piecework. Is not that the fact?

Mr. BYRNS of Tennessee. Yes.

Mr. DILL. I note, on page 563 of the hearings, that these laborers are receiving, the highest \$105 a month—that is, the clerks who are operating these tabulating machines—and the lowest received \$60 a month. In fairness it must be said that these 25 clerks receiving \$60 a month, I understand, are apprentices, as it were; they are conditional, but they are earning \$60, \$65, \$70, and \$75, all of whom are trained employees. Now, I note another thing, and that is that this lump-sum appropriation has gradually increased, and if it goes on in the same way it is only a matter of a short time until the whole appropriation will be in the hands of one man to fix salaries on a piecework basis. This House in the last session on three or four occasions on roll call voted very definitely against the Taylor system, and while this is not the Taylor system in reality it is a form of piecework system.

Mr. GOOD. Mr. Chairman, I move to strike out the last words. While this question of increase of pay of employees is up I want to read just briefly from the testimony of the Postmaster General with regard to the comparative rates being paid by the Government and private establishments. Last year the Postmaster General, in hearing on the legislative, executive, and judicial appropriation bill, in speaking of the reorganization of the instruction that he gave to the Bureau of Efficiency in rearranging the ratings of employees of the Postal Department, said:

I want the committee to understand that in the department we have kept in mind at all times that the Government should be a model employer. I mean by model employer that the Government should pay adequate—yes; more than adequate—a liberal compensation for services given it; that the hours of work should be reasonable—liberally reasonable—and the working conditions for employees should be most favorable. We have tried to adhere to that policy in the preparation of these estimates.

* * * * *

Mr. Goop. What do you mean by a liberal compensation?

Mr. BURLISON. I mean from 15 per cent to 30 per cent more than is being paid for similar service in private employment. I have said to the committee on personnel, of which the chief clerk of my department is the chairman, that if the committee finds any class of work in the Post Office Department for which we are not paying from 15 to 30 per cent more than is paid by private employers, that I would estimate for an increase and would come before the Committee on Appropriations and defend it. I believe that the Government should at all times be a model employer, and I believe that every employee in the Post Office Department is now receiving what I defined a moment ago as a just and equitable compensation for his services, or will receive such compensation within the next year, when the salary adjustments under the efficiency ratings have all been made. You, of course, understand that these changes in salary are made gradually. I said all the employees. I except four, and I will speak to you about them in a moment—the four Assistant Postmasters General. They are underpaid, and I can demonstrate it.

When I speak of the rates of compensation allowed the employees in my department being from 15 to 30 per cent above the rates paid for similar work or service in private employment, and that I regard this for the Government as just and equitable, I give no consideration to the fact that the Government clerk works only 7 hours a day, while persons in private employment work 8, 9, or, in some instances, even

10 hours a day. I give no consideration to the fact that there are 105 or 107 days—Sundays, days of annual leave, sick leave, and Saturday half holidays during the summer, and legal holidays, all authorized by law—that the Government employee does no work. I do not take these matters into consideration, because it is a part of the generous treatment the Federal Government as an employer should show its employees.

Then, further on in the hearing, Mr. Herbert Brown, chairman of the Efficiency Bureau, the bureau that established the ratings in the Post Office Department, said that when they came to putting into effect the efficiency ratings in the Post Office Department they followed the recommendations of the Postmaster General and provided a rate of pay from 15 to 30 per cent more to Government employees than was paid for similar employment in private life, and that is the basis upon which this entire bill was formulated. The clerks are all regulated by law. Clerks of a given class, say, class 4, receive the same compensation in all the other departments of the Government that they receive in the Post Office Department. And so it is with all other clerks and with messengers and assistant messengers and with laborers. Their salaries are fixed by law, and they are receiving from 15 to 30 per cent more than laborers and clerks receive for similar employment in private establishments. That is why there is such a demand for Government jobs. If private employment paid more, they could not be retained in the Government service.

The CHAIRMAN. The gentleman from Washington [Mr. DILL] withdraws his pro forma amendment, and the Clerk will read.

The Clerk read as follows:

Bureau of Engraving and Printing: Director, \$6,000; assistant director, \$3,500; chief of division of assignments and reviews, \$3,000; chief clerk, \$2,500; disbursing agent, \$2,400; cost accountant, \$2,000; medical and sanitary officer, \$2,250; stenographer, \$1,800; storekeeper, \$1,600; assistant storekeeper, \$1,000; clerk in charge of purchases and supplies, \$2,000; clerks—6 of class 3, 9 of class 2, 9 of class 1, 8 at \$1,000 each, 12 at \$900 each, 15 at \$840 each, 3 at \$780 each, 9 attendants, at \$600 each; helpers—1 at \$900, 2 at \$720 each, 2 at \$600 each; 3 messengers; 7 assistant messengers; captain of watch, \$1,400; 2 lieutenants of watch, at \$900 each; 60 watchmen, at \$720 each; 2 forewomen of charwomen, at \$540 each; 25 day charwomen, at \$400 each; 77 morning and evening charwomen, at \$300 each; foreman of laborers, \$900; 4 laborers; 85 laborers, at \$540 each; in all, \$241,310; and no other fund appropriated by this or any other act shall be used for services, in the Bureau of Engraving and Printing, of the character specified in this paragraph, except in cases of emergency arising after the passage of this act, and then only on the written approval of the Secretary of the Treasury, and in every such case of emergency a detailed statement of the expenditures on account thereof shall be reported to Congress at the beginning of each regular session.

Mr. DILL. Mr. Chairman, I move to strike out the last word for the purpose of making some observations about the salaries in the Bureau of Engraving and Printing. The chairman of the committee rather pointedly called attention a while ago to the fact that the Auditor for the Navy Department wanted an assistant messenger rather than a messenger. I note on page 157 of the hearings on this bill that the Director of this Bureau of Engraving and Printing asked that the clerks in that department be paid a salary commensurate with the services which they perform. He says that the clerks in the \$900 grade in the bureau perform a higher grade of service than the average Government clerk who is getting \$1,200. I was informed that the clerks provided here with a salary of \$740 and \$840 each do practically the same work as is done by the other clerks, and I would make a motion to amend and raise their salary but for the fact that the gentlemen would raise a point of order, and there is nothing that can be done.

Now, I call the attention of the gentlemen to another fact, that these charwomen are working for \$400 a year, eight hours a day. These women who clean up down there during the day and during the night—I think anyone will agree—do a kind of work that should receive more than \$33.33 a month.

I desire now to say something about the clerks. It may be of some interest to relate something about how the classification of clerks came about in the Government. The act of March 3, 1853, provided the first classification, and then class 1 got \$900; class 2, \$1,200; class 3, \$1,500; and class 4, \$1,800. On April 22, 1856, this classification was made, and class 1 got \$1,200; class 2 \$1,400; class 3, \$1,600; and class 4, \$1,800.

Now, I was interested to know how the cheaper clerks got into these bills, and I find that on January 9, 1896, the President of the United States directed the classification known as A when they received less than \$720; B, \$720 to \$840; C, \$840 to \$900; D, \$900 to \$1,000; and E, \$1,000 to \$1,200. That was in 1896, when the wages of the country were at such a low standard that the Government lowered the wages of the employees, and I think justly so. But now, when everything has gone beyond all reason in the cost of living, certainly a similar advance ought to be made; and when the gentleman talks about a 10 per cent advance he forgets that the big corporations that

are trying to meet this situation have raised wages 20, 30, and 40 per cent.

Mr. BYRNS of Tennessee. Will the gentleman please name the corporations?

Mr. DILL. Yes; I will name some of the corporations, since the statement was made on the floor Tuesday by one gentleman that he did not know of any that were giving such raise in wages:

The Bowling Green (Ohio) paper, under date of November 30, says that beginning with December 1 the Edward Ford Plate Glass Co. will increase the wages of their employees 8 per cent, making an increase of 26 per cent for the year—1,600 employees.

Mr. BYRNS of Tennessee. Now, the gentleman says they have an increase there of 8 per cent?

Mr. DILL. Over what had already been given this year.

Mr. BYRNS of Tennessee. Where does the gentleman get the authority that they have given an 18 per cent increase heretofore?

Mr. DILL. I have the statement of the newspaper printed in the town where the plant is located.

Mr. BYRNS of Tennessee. Does the gentleman know what salaries or wages this company pays to its employees?

Mr. DILL. I do not know; but I take it that they are as good as the Government pays when it pays \$50 or \$60 a month.

Mr. BYRNS of Tennessee. Does the gentleman know that the employees referred to get more than the amount paid by the Government for similar services and similar time?

Mr. DILL. No; I do not know whether they do or not.

Mr. BYRNS of Tennessee. Does the gentleman know whether or not they are required to work only seven hours a day and get 30 days' annual leave with full pay and 30 days' sick leave?

Mr. DILL. I do not know the details of their employment, but I do know they get as large wages as the lowest paid employees of the Government. They could not live if they did not.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. DILL. Mr. Chairman, I would like five minutes more, in order to point out some other instances to the gentleman.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. DILL. The New York World on December 7 says the Guaranty Trust Co. has given its employees a bonus of 22½ per cent. The Artisan, of Holyoke, Mass., says that the American Clothing Manufacturers' Association, beginning with December 18, will give an increase of 35 per cent to its 32,000 workers. The New York Sun on December 9 says that Charles H. Jones & Co. will give its employees 50 per cent of the year's pay as a bonus or increase in their wages. The Post, of Ellicottville, N. Y., says that the Eastman Kodak Co., of Rochester, announces to its employees that between December 6, 1916, and April 25, 1917, it will pay its employees receiving \$20 a week or less an emergency wage amounting to 15 per cent of their wages and to those receiving between \$20 and \$50 a week an emergency wage of \$3 a week. The Albany Journal states that the Alpha Portland Cement Co. announces it has increased its wages 10 per cent, which is the third increase in less than a year, and it makes an aggregate increase of 30 to 35 per cent and affects 1,200 to 1,500 employees. The Alling & Cory Co., says the Rochester (N. Y.) Democrat, has increased the wages of its employees who are receiving \$25 a week or less 15 per cent beginning December 2.

The Boston American of November 29, 1916, says:

The American Clothing Manufacturers' Co. has increased the wages of its employees 35 to 40 per cent.

The Springfield Morning Union, of Springfield, Mass., of December 7, 1916, says that—

The average increase of wages of the Prentiss Co. since the first of the year has been 30 per cent.

Mr. BYRNS of Tennessee. I want to ask the gentleman this question.

Mr. DILL. All right.

Mr. BYRNS of Tennessee. Does the gentleman think it would be justified and would he favor an increase for the employees of the United States Government from 35 to 40 per cent, as he argues?

Mr. DILL. I said nothing of the kind. I say these poorly paid employees who have not been given a living wage should be given a wage that is commensurate with conditions under which they live, and no horizontal raise can be fair to men who have been getting only \$50 or \$55; and no horizontal raise would

be fair to men, either, who have been getting only \$70 or \$80. That is what I stated.

Mr. BYRNS of Tennessee. Is the gentleman opposed to a horizontal raise?

Mr. DILL. I will take that if nothing better can be had. Now, the gentleman talks about these horizontal increases in these bills that will raise all the wages. When you get the big supply bills through by the 4th of March you will find these provisions for these horizontal increases will be lost and will not be heard from.

I recognize that a great many firms in this country that have been increasing the wages of their employees have only increased them to the extent of 10 per cent, but in most of those cases a raise had already been made this year or last year, while the Government has not increased its salary scale in years. And now you meet this situation by proposing to insert in a paragraph at the end of this bill a provision to give a 10 per cent increase to these poorest paid employees, which, in effect, will amount to very little.

Mr. NORTON. Mr. Chairman, will the gentleman yield there?

Mr. DILL. Yes.

Mr. NORTON. The gentleman, I observed a few moments ago, listened to the statement of the gentleman from Iowa [Mr. Goon] as to the employees of the Post Office Department, where the Government employees were being paid from 15 to 30 per cent more than similar employments in civil life. What has the gentleman to say regarding that? Does the gentleman agree to that or not?

Mr. DILL. I do not agree to that, and if I had the time I would produce some figures here in answer to what the gentleman said earlier in the day.

Mr. NORTON. I was interested in what the gentleman from Iowa said on that subject, and I was expecting the gentleman from Washington to reply. I wanted the gentleman from Washington to touch on that.

Mr. DILL. I did not see fit to speak at that time, because I wanted to take up the subject later.

Mr. NORTON. That is the statement the gentleman from Iowa made concerning the Postmaster General.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. QUIN. I move to strike out the last word.

The CHAIRMAN (Mr. LEVER). That amendment has already been made. Does the gentleman move to strike out the last two words?

Mr. QUIN. Yes.

The CHAIRMAN. The gentleman from Mississippi [Mr. QUIN] moves to strike out the last two words.

Mr. QUIN. Mr. Chairman, I have heard what the gentleman from Washington [Mr. DILL] says, and it occurs to me that it is time for somebody to say a word for the man who has got to pay all these increases of wages that you are talking about. [Applause.]

I do not know anything about the conditions of the State that the gentleman comes from, but has the gentleman heard here of a single Government employee asking that wages be reduced when food products have fallen in price below the cost of production? Has the gentleman from Washington any reason to say that when the farm products of this country are selling below the cost of production anybody from his State or anywhere else will at any time suggest on the floor of this House that the salaries of these employees of the Government should be reduced?

Mr. DILL. Will the gentleman yield?

Mr. QUIN. I will.

Mr. DILL. In answer to the gentleman's question I may say that whether they have asked for the decreases or not, the wages have been decreased, or positions have been established at much lower wages than previously existed, and the records show that the average wage in the Treasury Department to-day is less than it was in the year 1854.

Mr. QUIN. Has the gentleman since the Civil War ever heard of this Congress reducing salaries? It makes no difference how low the prices of products go, no Congressman ever rises and says, "We will reduce the salaries of these Government employees," or anybody else. The taxpayers of this country know that taxes are going up. There is not a single municipality in the State of Mississippi where taxes have not advanced; there is not a county in Mississippi where taxes have not advanced. The State taxes are heavy. That is the case with every State of this Union. Every man knows that the Federal taxes, the taxes of this Government, are growing by leaps and bounds. You have pending before the very committee that I have the honor to be a member of now increases of estimates that are enormous and astounding.

The gentleman from Washington says we should increase the wages of these Government employees more than 15 per cent. I notice gentlemen voted the other day to increase the allowance for their clerks from \$1,500 to \$2,000, and in addition to that they voted to put in \$75 a month for a stenographer during the session for each Member of Congress. Do you believe the people are going to sit down idle while we sit up here in this revelry of official extravagance and go down into the Treasury and vote large sums in salary increases? It is outrageous and monstrous to do that here, when the people throughout the country can scarcely pay the taxes that they are paying to-day. Do you believe the people of the United States are going to indorse this continuous policy of raising the salary of everybody?

You say that a scrub woman who receives \$33 a month is getting too low a wage. Do you know of a scrub woman in private employment that gets as much as \$33 a month, with 30 days' leave of absence in a year and 30 days' sick leave, and who gets every Saturday afternoon off and Sundays and holidays? In fact, do you know of any scrub woman in private employment who gets as much as a dollar a day?

We must consider the economies in private life when we consider the Government pay roll. I know that \$33 sounds low when you consider the modern methods of extravagance. You speak of \$33 a month for scrubbing out an office, but you do not consider all the sick leave and annual leave and holidays which they are allowed. In fact, it is a generous wage when all those things are considered. Those people work hard, it is true, for four or five hours a day, but you go down here to the old fellow in the field, working from 5 o'clock in the morning until after dark at night, and you will find he is paying for all this. Does not the gentleman know that the corporations that are making these wage increases that are referred to are not the ones who are really paying for them? The poor devils who till the soil are the ones who are paying the wages that every corporation in this country is apparently paying out. You will not accomplish this increase which is proposed by my vote. You are proposing to lay heavier burdens on the masses. You will not do it with my vote. I never yet have voted to pay out a single dollar that I would not do if it were my own private business. How many of you men on this floor, if you were running a business yourselves, would give an increase to your employees when you are hardly able to raise the normal pay roll? Already there is a deficit in the Treasury of the United States. Already we are looking about for new sources of taxation. We have increased the income tax, and I am in favor of increasing it more. What do you want to do? Do you want to go out and tax the plow, the hoe, the harness, the gears, and the wagon that the farmer uses? Is that the scheme you propose? How are you going to get the money? It must come from some source, you know. Some say we must have a protective tariff to raise it. Is that what you want? Are you going to tax the shirt off from a man's back and the shoes off from his feet? Are you going to tax the biscuits out of his mouth and leave his children crying with hunger? Is that the kind of a policy you want to pursue?

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. QUIN. I ask unanimous consent for a little more time.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. DILL. Will the gentleman yield?

Mr. QUIN. Yes; I will yield, but not long. Just for a question.

Mr. DILL. I have been asked so many questions, I should like to answer one. In answer to the gentleman's question as to whether I would take the biscuits away from people's mouths, I will say to the gentleman that I would tax the rich men of this country enough to see to it that the men who work for this Government may have biscuits to eat, anyhow. [Applause.]

Mr. QUIN. I hope the gentleman does not believe all he reads, all this magazine nonsense, and all this uplift policy. I have been born and reared to know what work is and what a dollar is worth; and when you tell me, sir, that you want to put biscuits in Government employees' mouths, you know they have all the necessities and comforts of life, and you propose to have them lounge in unneeded luxuries, and in doing that you are taking necessary food out of the mouths of the families of the men who have to pay these taxes. You are taking advantage of them and their families by putting additional taxes on them. If we continue to raise the salaries of these Government employees, if we continue to establish new positions where we know that already there are employees hanging

around who do not earn their salt, what will the taxpayer say? You say you want to take it out of the rich man's pocket. I am willing to take from those who have fabulous incomes a sufficient amount of taxes to support this Government in an honest and legitimate way, but I do not want to tax the rich, or anybody else, in order to add a useless expense. I do not propose to vote to take money out of the pocket of Mr. Rockefeller or of anybody else to pay something for nothing, to pay more than labor is worth. Every man knows that the laborer is worthy of his hire, but he must not expect to be worth more than his real value. There is where we go wild here. We allow the American people to be imposed on, because we do not have a proper regard for the sources from which this money must come. The American people know that a great sum of money must be raised. They do not know how it is to be raised. Why, if you take the American people as a whole, they know the cost of living is high. They know if their wages are raised it is building up an inverted pyramid that will fall back down on them when it becomes top-heavy, because, after all, the law of supply and demand must govern the prices, and when there is an enormous crop of the farm products of this country prices are low, and during that period of time the taxes are the same, except they are increased.

The taxes of this country now are increasing, and you propose by this system suggested by you to keep building up taxation. You propose, for all the different fads that come along, to increase taxation upon the American people. It must come out of the pockets of some one. Does it come out of the pockets of the men who are getting these increases? It comes out of the pockets of the producers of wealth. It comes out of the pockets of the man who tills the soil, and the man who labors in the sweat of his brow; and for that man, the American taxpayer, this Congress should have some regard. It should take some notice of his welfare instead of running wild about somebody else who is sucking the lifeblood from him. Let us look out for the man who has to bear this burden; let us have some respect for him; and, gentlemen, when the roll is called that is going to put every man on record here who voted the other afternoon to put \$500 more yearly in the pockets of his clerk and \$75 a month more for some stenographer to sit around in his office, let that man put himself on guard, and let his people look him in the face when he goes back home. I wish I could get behind the coat tail of some gentleman back in his district where the people are honest and work for their living. I wish I could get after the man who votes on this floor to put that enormous sum of money into clerk hire for himself. I will bet there would be a new face in Congress from that district next time. Do not mistake. The American people will not be fooled if they understand the facts. Understand the American people are going to want to know why you have increased all of these Government employees. Why is it you let them work only about seven hours a day? Why is it you propose to give them all the money that the people make, and some talk about retiring them on a pension after they have served Uncle Sam for about 20 years? The people want to know why that is. They want to know who is doing it. Is it you? How did you stand on the vote? How did you talk on this floor? Do you sing the same song back home that you sing here? Do you believe the American people would elect this same gang of men if they knew what outrageous extravagances they are perpetrating here? Do you believe that the American people would want to reach down in their pockets to pay Federal taxes while their little children hardly have decent clothes to wear to school for a few months in the year, when you pension somebody in Washington, when you increase everybody's salary in Washington, when you put moving pictures all around them, and send them to theaters, and up to the roof garden on the top of this great hotel down here at night? Do you think that is what your constituents want? Would you do that in your own private business? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUCKER. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Mississippi be extended two minutes in order that I may ask him a question.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Mississippi be extended two minutes. Is there objection?

There was no objection.

Mr. RUCKER. Will the gentleman yield?

Mr. QUIN. Certainly.

Mr. RUCKER. I understood the gentleman a moment ago in speaking about the action of the committee day before yesterday in increasing the salary of the clerks to Members, to say that the Members put that in their pockets.

Mr. QUIN. I said that they could do what they wanted to do with it.

Mr. RUCKER. I understood the gentleman to say that they would put it in their pockets.

Mr. QUIN. I did not say that.

Mr. RUCKER. The gentleman did not intend to say that the Members appropriated that money to their own use?

Mr. QUIN. No. I said that they were increasing the salary of these clerks to sit around in their office and look pretty. You can get a competent secretary for \$125 a month, which is the amount paid now.

The Clerk read as follows:

For purchase of cards and tabulating equipment for use in auditing accounts and vouchers of the Postal Service, including exchange and repairs, \$139,400, to be expended under the direction of the Auditor for the Post Office Department under rules and regulations to be prescribed by the Secretary of the Treasury: *Provided*, That not exceeding \$32,000 may be expended for the rental of tabulating and card-sorting machines.

Mr. DILL. Mr. Chairman, I move to strike out the last word. In the discussion that has preceded here statements have been made both by the gentleman from Tennessee [Mr. BYRNS] and by the gentleman from Mississippi [Mr. QUIN], and I am not sure by some other, to the effect that the men who are employed by the Government here are getting much higher wages for the work they do than they can secure from private employers. The gentleman from Tennessee made the statement that in the State of Washington, from which I happen to come, men and women were being secured to do similar employment for as low or lower wages. I have here a statement placed in the hearings on the Nolan bill regarding the custodian service in various buildings in the United States, in which the rates of pay for work done by the Government employees are compared with those rates paid by city and county employees in some communities and towns.

Since the State of Washington was mentioned, I want to call attention to the fact that in Tacoma, Wash., where laborers in the post office and treasury building receive \$660 a year, or a salary of \$55 a month, employees doing similar work for the city receive \$840 a year.

In the city of Spokane, where I live, we have what is known as a \$3-a-day wage bill, and no man works for the city for less than \$3 a day. I think similar laws are in operation in other cities in the State, but of that I am not certain. But I do know about the city of Spokane.

In the city of Portland, where the wages of the Government laborers are given as \$660 a year, the wages of private employees are \$780. Now, it is a simple matter to go throughout the country and take the number of cities and compare them with the Government employees. For instance, Detroit, where charwomen receive \$300 from the Government, the county pays \$720. In Superior, Wis., where charwomen receive \$300, the city pays \$480 to \$540.

Mr. BORLAND. Will the gentleman yield?

Mr. DILL. Yes.

Mr. BORLAND. Does not the gentleman realize that there may be a great difference in the maximum hours that these charwomen labor? The Government maximum is four hours—two to four.

Mr. BYRNS of Tennessee. And the gentleman is comparing them with charwomen who work a full day.

Mr. DILL. I do not think so.

Mr. BORLAND. The salary that the gentleman gave indicates a full day's work.

Mr. DILL. At the Bureau of Engraving and Printing, I was informed by the director's office this morning that some of the charwomen work eight hours a day.

Mr. BYRNS of Tennessee. Oh, the gentleman is mistaken. The Director of the Bureau of Engraving and Printing did not ask for one dollar's increase for charwomen. I am sure the gentleman is mistaken when he says that the charwomen in that bureau work eight hours a day. It averages two to four hours a day.

Mr. DILL. That is true in the War, State, and Treasury Departments, but when I called attention to the fact that the charwomen at the bureau were getting \$400, the statement was made that that was because they worked the full day.

Mr. BYRNS of Tennessee. Of course, I do not question the private information that the gentleman from Washington got from the Bureau of Engraving and Printing, but I do say that the director never made any such statement as that to the Committee on Appropriations or to me.

Mr. DILL. I will say that it was not the director, but the assistant director that gave me that information.

Mr. GOOD. Will the gentleman from Washington yield?

Mr. DILL. Yes.

Mr. GOOD. The gentleman from Washington took the floor to disprove the statements by the gentleman from Tennessee and the gentleman from Mississippi that persons employed by the Government received more wages than those in private employment. The gentleman from Washington has not referred to any private employment. The cases he referred to were simply those of city, county, and State.

Mr. DILL. Some were private.

Mr. GOOD. What ones were private?

Mr. DILL. I gave some from Portland.

Mr. GOOD. No; those were State and county.

Mr. DILL. The city of Superior, Wis., was private.

Mr. GOOD. Will the gentleman refer to some of the Washington cities where he knows what is paid by private employers?

Mr. DILL. I know that no skilled workman in Washington works for less than from \$3 to \$5 a day. Under Government employment skilled laborers are forced to work for very much lower wages.

Mr. GOOD. Does the gentleman think that we ought to appropriate for common laborers the same pay that skilled laborers receive?

Mr. DILL. No; but you appropriate \$720 for a skilled laborer in this bill, and that is what I attempted to correct.

Mr. GOOD. Does the gentleman know the character of work that they do?

Mr. DILL. I went out to see what some of these laborers do who get \$55 and \$60 a month. I found that one of them had been sent over to the auditor's office to do electrical work. He is such a competent electrician at \$60 a month that his chief sent him to do that work. I found another man trained sufficiently in the handling of a pump so that he was sent to fix a pump that had gotten out of order, and yet he was drawing only \$60 a month for doing that work.

Mr. GOOD. I will say to the gentleman that the statute does not know any position of skilled laborer. Once in a while these people have received advanced pay and the reason for it is that they were skilled laborers.

Mr. DILL. It says skilled laborers.

Mr. GOOD. It is because they are getting more compensation than the others, and that is the only reason. An exception is made in their cases.

Mr. DILL. It says "skilled laborers." What it means I do not know. If it has any new meaning other than what it generally has, the gentleman must interpret it. The statute refers to them as skilled laborers at \$60 a month. I maintain that a man who is sufficiently trained so that he can do electrical wiring and electrical work in a Government building is a skilled laborer, and that a man who can fix a pump which is out of order is certainly more than an ordinary laborer, especially when he can put in a new valve and that sort of thing. The gentleman from Mississippi [Mr. QUIN] made the ordinary speech that he has made every time it is proposed to spend a little money to help these employees get living wages, and yet we get up here and vote for millions and millions of dollars because of imaginary dangers or of doubtful value. He spoke of the committee of which he is a member and he said that there were so many millions extra proposed that we ought not to spend any more. Certainly, if we can afford to spend eighty or one hundred million dollars extra for the thing to which the gentleman refers, we can at least afford to spend two or three or four or five or even ten million dollars extra in order to give these men decent living wages. This talk about the taxpayer being unable to pay living wages I think is all bumcombe. I think the taxpayers of the country are willing that Congress see to it that the men who work for this Government are given living wages, and men who get so wrought up over the fact that there may be \$50 or \$100 extra given to some man as a living wage are simply working on their own imagination. As I said a while ago, we received millions and millions of dollars more last year as internal revenue in the way of income taxes than we have ever received before, and that is all due to the great prosperity of the country everywhere, and the increased cost of everything brought about much of this great revenue, and we should recognize it to the extent of giving these men living wages.

Mr. Sisson. Mr. Chairman, a great deal is being said about the amount of money that the Government pays to its employees. I do not think any one who will make a careful investigation will fail to find that the statement made by the Postmaster General which was referred to by the gentleman from Iowa [Mr. GOOD], if he will consult his own people at home, about what they pay people working in private employment, is entirely correct, and that the salaries paid by the Federal Government are from 20

to 30 per cent higher than those paid for like services in private employment. A great deal also is being said about the high cost of living. It is true that the cost of living has reached an enormous point, and the expenses of the ordinary family have been increased a great deal, but we do not take into consideration the fact that when we make these increases in salaries in the departments of the Government they become permanent increases.

Mr. DILL. Mr. Chairman, will the gentleman yield?

Mr. Sisson. In just a moment. You have fat years sometimes like this in private employment throughout the country, where factories are running overtime and men are begging to get employees, when they are taking them from sections of the country where they have never traveled to get labor before. Labor agents have been going all over the South getting men to emigrate at a wage less than this, especially the negro population, to work in the factories and in the mines. This is an abnormal condition in which we find ourselves, but this Government pay is steady and regular, there are absolutely no idle days, the man who works for the Government gets 30 days' leave of absence with pay and he gets 30 days' sick leave with pay, and also 11 holidays; I think it is. He gets his half Saturdays off during the summer. It is a delightful and desirable employment, but if you were to listen to some of the gentlemen on the floor of the House, you would imagine with their weeping and their woe that these people were drafted into the public service and were compelled to remain there. You would imagine that they were compelled to come into the service; that the great arm of the Federal Government was denying them the right to resign at any time they saw fit; and that there was some compulsory service about it. There is no compulsion that I know of.

The only trouble I have in my section of the country, and I believe this to be true in almost every congressional district in the United States, is to take care of the enormous number who are constantly applying to get into the service. Another thing as to wages. You will find wages in one section of the country infinitely higher than in others. The gentleman from Washington [Mr. DILL] compares things as he sees them in his own State, and yet perhaps they may pay higher wages there than they do in California, and in California they may pay higher wages than they do in Maine, and they may pay higher wages in New York than they do in Maine. It may be cheaper in the South than it is in the North and in the West. There is something remarkable about the labor market of the country. What would be a fair wage in one section of the country would not be in the other, and all the comparison that the gentleman makes is in that section of the country where he lives. What we ask gentlemen to do is to confine themselves to this territory here and around Washington, and when you take the private employment in this city and the States around Washington you will find there is everything in favor of the Government employee. The rule with the private telephone company here is that the girls get a dollar a day. I am not condemning nor am I defending that situation. The telephone girls in the Government service get \$75 a month, and get all of the advantages of which I have spoken for Government employees. It seems to me that gentlemen are not confining themselves to the facts literally when they endeavor to convince the Members of this House and to convince the country that Congress has not been liberal with the Government employee. There is a responsibility that rests upon us, not of to-day but for the future, because when you increase the salary of one of the employees of the Federal Government that salary remains practically for all time, and within the last few decades there has been a gradual increase in many of the salaries. There is one other thing that ought to be referred to, and that is that when vacancies occur in the higher grades under the civil service men are gradually advanced from class 1 to class 2 and class 3, and they gradually get higher wages until they reach class 4.

Then there is opportunity for those who are efficient—those who are interested in the department's work, those who are willing to show they are competent, are filling the higher places, and are able to rise and get away from a mere clerkship, and you find the men who are getting salaries of \$3,600, \$4,800, and \$5,000, many of them chiefs of their bureaus, getting \$5,000 and \$6,000, were the worthy Government clerks who were willing to work more and complain less, who thought more about making efficient clerks, doing efficient service for the people, spending more time in doing that than in complaining about the penuriousness of the Government. I find in private employment those men who work with you and for you, who give their time and attention ungrudgingly and show a deep interest in your business, are thoughtful of your interests, those are the men who get out of the lower places and get along in the world. In-

quiries have led me to believe this is largely true of the Government where men who start in at low wages, men inexperienced, who stand the ordinary civil-service examination, starting at the bottom and have several years' employment, are promoted to higher and higher places. Then the beauty of it is that there is no waste of time, the employment is fixed and permanent. When you work for a private employer and lean years come you are liable to be discharged. When you work for private individuals they are likely to find some excuse to get rid of you; but it is next to impossible to take a man off the Government service, and I say without hesitation that in accordance with the amount and units of labor performed that the Federal employees are paid better than they are paid for like services anywhere on this earth as a class. For years our Republican brethren controlled all branches of this Government. Nobody has charged them with not being liberal in treatment and in dealing with employees in the Federal service, and yet during those years there was no such demand for increases as are coming now and have come since the Democrats have been in power.

Now, the high cost of living is temporary—we all hope it will be temporary—which is due to war conditions and the fact that the countries in Europe are not going on with their private business, but the Governments have gone into the markets of the world and are mortgaging their posterity in buying supplies of food in order to insure themselves as nearly as they can for at least one year's supply of food in advance, building up an artificial high price for foods which the people of the United States have to meet in bidding for food. Unless they happen to have more of that particular food supply than they consume, they must enter the market and enter into competition with those people for foodstuffs at these enormous prices.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. Sisson. Two more minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. Sisson. It is utterly impossible for these enormous prices to long stay up, and the message that came from Germany to the neutral nations of the world that they wanted peace on the terms which they submitted to the neutral nations of the world immediately caused the food markets to respond, and there was an immediate drop in prices. Why? Because as certain as the war shall cease there will be an enormous drop, not only in the price of stocks, but in the price of foodstuffs, and that is due to the fact the Governments will get out of the market and will cease to purchase food at such enormous prices. This is all temporary, and we ought to consider it only for the time being. We ought to look to the thousands and millions of people in private employment, to the little bookkeepers, to the little clerks throughout the country in the towns and cities and villages and those sections of the country where they have had a crop failure, who have these wages to pay, and consider them. The man working on the farm, irrespective of where he lives, must take into consideration an inclement season, a failure of the crop.

If they happen to have a fat year or two, it may be followed in a few years by some lean year caused by unfavorable conditions. But that is not true with Government employees. Uncle Sam with his strong arm reaches out and he gets the money the very day and hour it is due and the Government employee is paid. I am tired, yes, I am getting sick, of this demagoguery practiced here on the floor of this House with the idea of standing in well with the Government employee, with the idea of standing in with those people who are clamoring for these high wages. It is frequently contended that the various committees of the House do not give these people in the Government service consideration. But they do, and when you take into account, as I said of private employment, those people who are working on the farm, with all the uncertainties that they have in private life and in private business, in sickness, in the change of market conditions, and then take the certainty, which is like a bond, of getting your salary at the end of the month and the ease with which it is earned, you will understand why the Government service is the most sought for service of all the services in the United States.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. Austin. Mr. Chairman, I was a Government clerk in Washington City 39 years ago, in the Post Office Department. There has not been a general, systematic, scientific change in the classification, a general increase, or equalization of Government salaries since I severed my connection with the Post Office Department 40 years ago. I think the record will show there has not been a general increase in Government salaries in

half a century. These clerks and other officials, with few exceptions, are to-day being paid the same wages that they were paid 40 and 50 years ago. Now, in your mind contrast the purchasing power of a dollar to-day with the purchasing power of a dollar 40 and 50 years ago. What this Congress ought to do, and what I urged upon the Committee on Appropriations several years ago upon this floor was that there should be a careful revision, a reclassification, a readjustment, and a general increase of Government salaries in every branch of the service in Washington City and throughout the country.

I also appealed for needed, humane, and just legislation for the worthy superannuated Government officials.

We ought to iron out all of the existing injustices and all of the long-standing inequalities and do what is right, just, and proper as regards the interests of the Government and in fairness to our faithful and efficient public servants. We come here hurriedly, and the members of this great Appropriations Committee are overcrowded with work. They do the very best they can with the time and the great and enormous amount of work which they have to deal with in the preparation of the many great supply bills of the Government. We ought, in justice to ourselves, in the interest of fair play, to insert in this bill a provision creating either a commission or a special committee to take charge of this subject from the adjournment of this Congress to the convening of the new Congress in December and come here next winter and adopt a report along sane and just business lines.

If any great private corporation or firm should attempt to conduct and manage its business as the business of the Government of the United States is managed, that corporation or firm would be wrecked. This great body is made up largely of lawyers, 90 per cent, I doubt not, who are not trained as practical, experienced business men in dealing with executive and complicated business methods. It would be perhaps a fortunate thing for the American people if at least one-half of Congress was made up of successful, trained, and experienced business men.

The Government of the United States after all is a business corporation, the largest corporation in the world. The taxpayers, the voters, the people are the stockholders. So in the management of this great corporation we ought to conduct its affairs just as the affairs of the United States Steel Corporation, with 200,000 employees, or other great corporations are conducted, and fix the scale of wages upon a standard based upon efficiency, upon the character of the work, and the value and importance of the services rendered. But here we take a nibble at it, a few hours in a hasty running debate on a bill from a committee which is swamped with work. Everybody's business in Congress is nobody's business. This unsettled thing goes on year after year, until half a century has passed away. We are now where we were 50 long years ago.

Mr. Sherley. Will the gentleman yield for just a question?

Mr. Austin. No; I do not wish to do so. The gentleman can follow me.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. Austin. Mr. Chairman, I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that his time may be extended for five minutes. Is there objection?

There was no objection.

Mr. Austin. I have nothing but words of praise for my worthy colleague [Mr. Byrns] in charge of this bill. Considering his surroundings and his environment and his opportunities, he has done remarkably well. But I deny the statement made by the gentleman from Mississippi [Mr. Sisson] that our prosperity is temporary. We have it from the leaders of the Democratic Party that the present prosperity is to last as long as Woodrow Wilson is President, because it is based on so-called Democratic "constructive legislation."

Mr. Sisson. The gentleman is wrong about my saying "prosperity." I said the high cost of living was temporary.

Mr. Austin. Then, if high wages are to be maintained for four years in private manufacturing business and in commercial lines, why not measure up the scale of wages in the Government service at once. Here in the pending bill is an increase of \$1 a week for certain Government employees. That is a magnificent advance in wages for the hard-working, married Government employee on an annual salary of \$540 with which to meet the enormous increase in the cost of living. Ten years ago Congress took as an excuse the advance in the cost of living and increased the salary of every Member of Congress 50 per cent—increased it from \$5,000 to \$7,500. If Congress could do

that 10 years ago for its Members, why should Congress hesitate or refuse 10 years later to do a plain, simple act of justice to this great deserving army of efficient Government employees in Washington and in every State of the Union?

Oh, the gentleman from Mississippi, from a State in which they have a low standard of wages, is afraid of his constituents. I would rather be dead than be a coward. I have never yet attempted to evade my responsibility as a Member of this House to vote my honest convictions and to do what my conscience told me was right and just. It costs a Government official more to live in this magnificent city than elsewhere. A Government official must dress better here than the man on the farm in the swamps of Mississippi. I desire as a Member of this House to show my appreciation and my sense of justice by helping our competent, worthy, and deserving officials here and elsewhere. I earnestly hope this House will measure up to its plain duty on this question and write on the statute book an act of justice which has been delayed for half a century. [Applause.]

Mr. SHERLEY. Mr. Chairman, I desire to detain the committee but a moment or two, but there has been so repeatedly made the statement, both on the floor and in the press, that there has been no revision of salaries of Government employees—the gentleman from Tennessee says in 39 years; other gentlemen say in 50 years—that I am not willing to let the statement go unchallenged. I have been a Member of this House for 14 years, and during three-fourths of that time, nearly, a member of the Committee on Appropriations. I do not recall a single bill that has ever been reported in that time that did not carry increases in salary for some employees—sometimes many, sometimes few. And that has been going on not only for the years I speak of from my personal knowledge, but had been going on for many, many years prior thereto. So that the statement that there has been no general revision may be technically accurate, and yet the impression desired to be produced is as false as a half truth always is false.

There is another statement that goes unchallenged frequently, and that is that men are employed here by the Government at less wage than private employers pay for a similar class of work. Just the opposite is true, and I will guarantee to say that if a commission is appointed—and I hope one may be appointed—to go fully into the matter and investigate in the very newspaper offices that daily tell us here in Washington our duty in the matter they will find that the salaries paid there for a similar class of work is less than paid by the Government to its employees. With the exception of a few high-grade men, some of the lowest paid men are reporters employed by some newspapers, and it is so understood by all who are conversant with the facts.

Now, I am glad to vote for the increase that the committee has recommended. I am not prepared to say that it represents exact justice. Exact justice can not be done by any general rule. But I think it is high time that the country should understand that it is not true that the Government treats its employees niggardly, here or elsewhere. The statement will not hold. Whether they are engaged in manual labor or in clerical labor, speaking by and large, they are better paid, both in the amount they receive, and in the leave they get, and in the privileges they get, and their hours of labor, than men employed in similar employment elsewhere.

I come from a city of some fair size. I know something about terms of employment, even if I do happen to rest under the disadvantage of having been an attorney at law, which the gentleman from Tennessee [Mr. AUSTIN] seems to think is a very reprehensible fact. Perhaps he illustrates the old rule that what we least understand we most resent. But certain it is the fact remains that the Government has not treated its employees niggardly. I do not desire it to do so now.

In my judgment, the trouble with Government employment is this: We have too many men in the lower grades, being paid small salaries, who do not do much work, and too few men being paid larger salaries, giving a full day's work for the salaries they receive; and what ought to be done is to see to it that less men are necessary to do the work to be done, and then pay them a higher wage.

I am not urging now that the hours of employment should be increased. The Government's clerical employees are better off than employees that I know of in commercial cities. In my city you will find the average clerk going down to his work at 8 o'clock. He is lucky to leave for home a little before 6. He will go, the last two or three nights of the month, and stay at his office for several hours in order to check up and balance the books for the end of the month. And that condition is the usual condition in America.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The Clerk will read.

The Clerk read as follows:

Collecting the income tax: For expenses of assessing and collecting the income tax as provided in Title I of an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, including the employment of agents, inspectors, deputy collectors, clerks, and messengers in the District of Columbia, and the several collection districts, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, including not to exceed \$4 per diem in lieu of subsistence, \$1,700,000; and authority is given to use \$40,000 of said sum for the employment in the Bureau of Internal Revenue in the District of Columbia of necessary clerical and other personal services, and the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman in charge of the bill state wherein the appropriation provided for here differs from that allowed last year? I understand the duties of the Internal Revenue Office have been considerably increased by the new revenue laws, particularly that pertaining to the collection of the income tax.

Mr. BYRNS of Tennessee. This is the same amount that was allowed last year.

Mr. MOORE of Pennsylvania. The department has asked for no more than it received last year?

Mr. BYRNS of Tennessee. This is all the department asked for.

Mr. MOORE of Pennsylvania. Is it the same that was allowed last year?

Mr. BYRNS of Tennessee. It is the same that was allowed last year, and the same that was estimated for this year.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Collecting the tax on estates, munitions, etc.: For expenses of assessing and collecting the tax as provided by Titles I, II, and III, of an act entitled "An act to increase the revenue, and for other purposes," approved September 8, 1916, and to pay such sums as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may deem necessary, \$340,000, and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to appoint and pay from this appropriation all necessary officers, experts, agents, inspectors, deputy collectors, clerks, messengers, and janitors, and to rent such quarters, incur expense for telephone service, purchase such supplies, equipment, mechanical devices, and other articles as may be necessary for employment or use in the District of Columbia, or any collection district of the United States, or any of the Territories thereof: *Provided*, That not more than \$40,000 of the amount appropriated may be used for the employment in the Bureau of Internal Revenue in the District of Columbia of necessary clerical help at rates to be fixed by the Commissioner of Internal Revenue, subject to the approval of the Secretary of the Treasury, and for the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. This appropriation of \$340,000 is new, is it not?

Mr. SISSON. No; that is not new.

Mr. MOORE of Pennsylvania. Covering the collection of the tax on estates, munitions, and so forth.

Mr. SISSON. At the bottom of page 56?

Mr. MOORE of Pennsylvania. Yes; for collecting the tax on estates, and so forth.

Mr. SISSON. No. That was carried in the deficiency appropriation last year.

Mr. MOORE of Pennsylvania. It was carried in the deficiency bill at this same amount, \$340,000?

Mr. SISSON. I think it is exactly the same.

Mr. GOOD. It is exactly the same.

Mr. MOORE of Pennsylvania. This is due to the passage of the new revenue bill, containing the income-tax provision?

Mr. SISSON. Yes.

Mr. MOORE of Pennsylvania. Can the gentleman state how many persons are employed in the service of collecting the tax on estates, munitions, and so forth?

Mr. SISSON. I can not; but if the gentleman desires I will make an investigation and find out.

Mr. MOORE of Pennsylvania. Can the gentleman state approximately how many persons are employed under this appropriation?

Mr. SISSON. No; but they are all employed under the classified service. The clerk informs me that there are something like 100.

Mr. MOORE of Pennsylvania. One hundred employees are engaged in this particular branch of the Internal-Revenue Service?

Mr. Sisson. Yes, sir.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Restricting the sale of opium, etc.: For expenses to enforce the provisions of the act approved December 17, 1914, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or cocoa leaves, their salts, derivatives, or preparations, and for other purposes," including the employment of agents, deputy collectors, inspectors, chemists, assistant chemists, clerks, and messengers in the field and in the Bureau of Internal Revenue in the District of Columbia, to be appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, and for the purchase of such supplies, equipment, mechanical devices, and other articles as may be necessary for use in the District of Columbia and the several collection districts, including not to exceed \$4 per diem in lieu of subsistence, \$300,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. Here is an item of \$300,000 for enforcing the so-called Harrison antinarcotic law. The Supreme Court has passed upon that law, so that prosecutions in certain cases have not been made recently by the department. In view of that fact I should like to ask whether the entire staff employed for the purpose of enforcing the antinarcotic law is still employed by the department, and whether there is any use for their services to the extent of \$300,000?

Mr. BYRNS of Tennessee. So far as I am able to state, the entire staff is still employed, and it is contemplated they will be employed during the next fiscal year. The Secretary of the Treasury estimated for the sum that is allowed in this bill, \$300,000.

Mr. MOORE of Pennsylvania. Reports coming from some of the large cities indicate that there has been no very great success in restricting the use of narcotics by habitual users, at least so far as the Government's power to restrict it is concerned. A number of cases have been tried in the courts of Philadelphia of which I have some knowledge, and they have been thrown out. I think some recommendations on this subject have been made by the Secretary of the Treasury with respect to an amendment to the antinarcotic law. Now, the question is, Are we maintaining all the machinery to the extent of \$300,000 for enforcing a law which the Supreme Court has indicated is not enforceable in some respects?

Mr. BYRNS of Tennessee. This force is not used in prosecuting in the courts offenders against this act. This is for the purpose of ferreting out and detecting violations. Now, I happen to know of my personal knowledge that a great deal of very effective work has been done in the city from which I come by representatives of this department, and I assume that it is being done all over the country in the same way.

Mr. MOORE of Pennsylvania. The department has already a number of agents and representatives to enforce this law, but this bill provides that the appropriation shall be applied not only to the employment of deputy collectors, inspectors, chemists, assistant chemists, clerks, and so forth, but those "to be appointed by the Commissioner of Internal Revenue."

Now, if we are at a standstill with regard to the enforcement of the law, and some new legislation is necessary, why are we giving to the Commissioner of Internal Revenue the power to appoint new officials when apparently there is nothing to be done?

Mr. Sisson. I will state to the gentleman that my understanding is that that decision might affect some prosecutions, but it would in no wise decrease the force employed for the detection of violations of the law. Now, this force, of course, is limited by this appropriation. The words "to be appointed by him" would simply permit appointments to be made where necessary up to the limit of this appropriation. But if a man should die or resign and the appointment of a successor was necessary, that language would be necessary to carry it out. I suppose that was in the gentleman's mind.

Mr. MOORE of Pennsylvania. It looks to the future; and if there is nothing to be done, I was wondering why he would want to appoint new officials.

Mr. Sisson. The decision in no wise prevents the enforcement of the law. It is only in reference to the enforcement of some features of the law. The Supreme Court did not declare the law to be unconstitutional. They decided a case, and the

decision was stare decisis as to that particular case, and would, of course, be the guide in future prosecutions in all cases exactly on all fours with that, but the decision in no wise affected the validity of the law generally.

Mr. MOORE of Pennsylvania. Does the gentleman know whether any legislation has been proposed looking to the carrying out of the recommendations of the Secretary of the Treasury?

Mr. Sisson. I have not heard of any legislation. Of course, that would not come before the Appropriations Committee.

Mr. MOORE of Pennsylvania. That would not come before the Appropriations Committee, but has anything appeared in the testimony before the Appropriations Committee bearing upon this subject?

Mr. Sisson. Not a word, as I am informed.

Mr. BYRNS of Tennessee. Of course the gentleman understands that druggists and physicians are all required to keep records.

Mr. MOORE of Pennsylvania. Yes; and I happen to know that that was the main purpose of the so-called Harrison antinarcotic law, and it did not go further than to provide for registration. That is a part of the trouble that the people are confronted with now who are undertaking to suppress the opium trade.

Mr. BYRNS of Tennessee. The force employed under this lump-sum appropriation are used largely for the purpose of investigating druggists and their records, to see whether the various drug stores and physicians are complying with the statute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. To make a long story short, the committee are convinced, then, that there is a necessity for the use of this entire \$300,000 to carry out the law so far as it may be in force.

Mr. BYRNS of Tennessee. Most clearly, from the statement made by those representing the Bureau of Internal Revenue before the committee.

Mr. MOORE of Pennsylvania. All right.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

INDEPENDENT TREASURY.

Baltimore, office of assistant treasurer: That portion of section 3595 of the Revised Statutes which provides for the appointment of an assistant treasurer of the United States at Baltimore is repealed from and after July 1, 1917.

Mr. COADY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COADY: Page 58, line 21, after the word "treasurer" strike out the balance of the paragraph and insert, in lieu thereof, the following:

"Assistant treasurer, \$4,500; cashier, \$2,500; paying teller, \$2,000; receiving teller, \$1,900; exchange teller, \$1,800; vault clerk, \$1,800; clerks—two at \$1,600 each, three at \$1,400 each, three at \$1,200 each, three at \$1,000 each; messenger, \$840; three watchmen, at \$720 each; in all, \$31,500."

Mr. COADY. Mr. Chairman, my amendment strikes out the following provision in the bill reported by the Committee on Appropriations:

Baltimore, office of assistant treasurer: That portion of section 3595 of the Revised Statutes which provides for the appointment of an assistant treasurer of the United States at Baltimore is repealed from and after July 1, 1917.

I know it is and has been the policy of the Committee on Appropriations eventually to do away with all the subtreasuries in the United States, upon the theory that the Federal reserve banks would perform the functions now ordinarily performed by these Subtreasuries. In this connection I would like to read from the CONGRESSIONAL RECORD of December 15, 1914, a discussion between the gentleman from Iowa [Mr. Goon] and the chairman of the committee, the gentleman from New York [Mr. FITZGERALD], pertaining to this same item. The gentleman from Iowa said, in connection with this appropriation not only for the Baltimore Subtreasury but for the other Subtreasuries throughout the United States, amounting to \$500,000:

Then the gentleman from New York must agree with me that the Committee on Appropriations, in this case, ought to have refused to report out this appropriation of half a million dollars.

The gentleman from New York replied:

I think not. The gentleman from Iowa will recall that not until this session did the committee wait to inquire into this matter, but at the last session of Congress, about a year ago, the committee took up the question as to the necessity of continuing the Independent Treasury system and Subtreasuries. It was then stated by officials of the Treasury Department that it had been impossible to determine the effect upon the Independent Treasury system of the operation of the Federal reserve act. I understand that no one lives who can tell just what effect the Federal reserve act will have upon the Subtreasuries or the Independent Treasury system until it is in working order and those connected with it have an opportunity to determine what is to be done. I think it would be great foolhardiness to abolish the Independent Treasury system without making ample provision for the continuance of its functions.

Continuing further, the gentleman from New York said:

The gentleman from Iowa must agree that until it is possible to say definitely whether there is necessity to continue the Subtreasuries or whether it is necessary to modify the law in some way, so as to fit in the Independent Treasury system with the new financial system resulting from the Federal reserve act, it would not be the part of wisdom to refuse to appropriate for the compensation of officials necessary to continue the fiscal operations of the Government so far as they are controlled by the Independent Treasury system.

Again, in March, 1916, an effort was made to strike this item from the bill, and the gentleman from Tennessee [Mr. BYRNS], who was in charge of the bill, was interrogated by the gentleman from Illinois [Mr. MADDEN], as follows:

Mr. Chairman, I want to inquire of the chairman of the subcommittee why it is that appropriations continue to be made for these Subtreasuries since we have established the Federal reserve bank act, which provides that all public moneys shall be deposited in those banks. What do the Subtreasuries do now?

The gentleman from Tennessee replied:

Mr. BYRNS of Tennessee. These Subtreasuries are places of deposit for our coin, and they also do the business of cashing checks and handling checks drawn on the Treasurer of the United States.

Mr. MADDEN. What are the Federal reserve banks for?

Mr. BYRNS of Tennessee. Well, the latter service is performed by the national depositories also. The Treasury officials have been giving some attention to the question of whether or not the duties of these subtreasuries can be transferred or devolved upon the Federal reserve banks, at least to a certain extent. But the gentleman is no doubt aware of the fact that in order to do this it would be necessary to pass some legislation and make provision for some of the duties now performed by the Subtreasuries. While most of the members of the committee are in accord with the idea of the gentleman from Illinois, that there might be an elimination of much, if not all, of the work done by these independent treasuries, we were unwilling to arbitrarily cut off all the appropriations until there had been some consideration given to the question of what particular agency was to perform the service now performed by them, and proper legislation passed in order to make it possible to transfer the duties.

Now, the gentleman will find in this bill, on page 62—

Referring to the bill under consideration—

a provision which the committee has recommended, directing the Secretary of the Treasury to report to Congress at the beginning of the next session which, if any, of the Subtreasuries shall be continued after the end of the fiscal year 1917, and if, in his opinion, any should be continued, the full reason for such continuance; or if any should be discontinued, what legislation will be necessary in order to transfer their funds or functions to the Federal reserve banks. The committee recommended that provision, so that at the next session of Congress we might possibly be able to devise some means whereby some of these independent treasuries may be eliminated.

Now, Mr. Chairman, notwithstanding the absence of the report, notwithstanding the fact that we have no additional light on the subject, the committee comes in here with the provision, not striking out all the Subtreasuries, but striking out the Subtreasury at Baltimore and eliminating that, and that only. There are nine Subtreasuries in the United States—at New York, Boston, Philadelphia, Baltimore, Chicago, Cincinnati, St. Louis, San Francisco, and New Orleans. As I understand the policy of this committee, as expressed in the debates heretofore held in this Chamber and expressed in the committee room, their policy is and will be to strike down all the Subtreasuries that I have just mentioned.

Now, if they want to eliminate the Subtreasury upon the theory that it is performing the functions of the Federal reserve bank, why did not they go to the cities that have both Subtreasuries and Federal reserve banks? Why did they pick out Baltimore, that has no Federal reserve bank, but only a Subtreasury? The Subtreasury performs a most useful function in the city of Baltimore, and if this provision stays in the bill that city will be deprived of something of great benefit and importance to the financial interests of our State.

Mr. PLATT. Will the gentleman yield?

Mr. COADY. Certainly.

Mr. PLATT. What does the Subtreasury do for the city of Baltimore?

Mr. COADY. The Subtreasury keeps on hand an immense amount of money, and a little later on my colleague [Mr. LINTHICUM] has a statement of the receipts and expenditures which he will explain in detail.

Mr. PLATT. Suppose the Subtreasury is abolished, would not the money taken from Government collections of customs and revenue be put in the Baltimore banks?

Mr. COADY. If this item stays in the bill and the Baltimore Subtreasury is eliminated it will be necessary for our banks in Baltimore and other institutions that take in a great deal of coin to pack that coin and send it to Washington at considerable expense and trouble.

Mr. PLATT. Could not the Baltimore banks take care of it themselves?

Mr. COADY. They can, but they must send it to Washington; they could not keep all of the coin there.

Mr. PLATT. They can if they want to.

Mr. COADY. Oh, no; they could not; that would not be good business. The gentleman from New York is wise enough and able enough to know that money must circulate, that you can not keep it in the vaults, and so this money would have to be shipped to Washington.

Mr. PLATT. You will have more money to use if you keep it there in Baltimore.

Mr. COADY. The gentleman knows that the Subtreasury is like a bank, and that the money keeps coming in and going out. The bank that keeps its money in its vaults is not prosperous.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. Mr. Chairman, I do not propose to take up very much time of the committee. I want to call attention to the fact that the Subtreasury has continued in Baltimore since 1870, or 46 years. Around it has grown up tremendous financial and banking interests. We are not like the inland cities; we are a seaport. We are perhaps the largest grain-exporting city in the country at this time. We have great customs receipts, all of which go to the Subtreasury.

This matter was taken up by the Appropriations Committee without any consideration and without any opportunity to place our case before it. The Treasury sent in estimates providing for the Subtreasury at Baltimore, and the first intimation that we from Maryland had that the committee had stricken out the Baltimore item was when the report was filed in this House. We had no opportunity to go and lay our case before the committee. We had no intimation that it was going to be eliminated. You may imagine how surprised the people were when at this time Baltimore is forging ahead as it never has before, when the Bethlehem Steel Co. is about to enlarge and increase its plant at an expenditure of \$50,000,000, when we have at Curtis Bay new plants coming in within the last two years involving an expenditure of \$25,000,000, when we are increasing on every hand.

Now comes the blow to remove the Subtreasury at a time when we most need it. You gentlemen who were here when the Federal reserve act was passed and when the Federal reserve banks were located will remember that the people of Baltimore contended that the Government ought not to try to make water run up hill by creating a Federal reserve bank in Richmond instead of Baltimore. Nevertheless the bank went to Richmond. We are not complaining about Richmond having it, but we do say that as they have the Federal reserve bank we ought not to be further humiliated by taking away from us the Subtreasury.

I want to call further attention to the fact that every city in this country larger than Baltimore has a Federal reserve bank, and we do our business through the Subtreasury, which we otherwise might do through a Federal reserve bank. If the Subtreasuries are to be removed, why take it from Baltimore city, which has merely the Subtreasury and not a Federal reserve bank? If you are going to try it on some city, do it on some city which is amply provided by a Federal institution to do the business.

It has been asked of what use is the Subtreasury. I want to say that during the year from December 1, 1915, to November 30, 1916, the Subtreasury did a business of over \$227,000,000. The following table shows it in detail:

Receipts.	
Currency received for redemption	\$19,525,881.00
Deposits for credit of 5 per cent redemption fund	14,846,478.00
Deposits received for official credit of United States disbursing officers	2,768,086.00
Deposits covering excess funds (collections from customs and internal-revenue receipts)	31,346,337.29
Deposits for issue of order gold certificates	9,700,000.00
Deposits of coin for exchange and redemption	10,158,486.26
Deposits received in payment of drafts charged through Baltimore Clearing House	15,211,305.28
Currency received for exchange of coin	10,155,092.00
Total	113,711,685.83

Disbursements.	
Payments made on account of checks, drafts, coupons, etc.	\$19,352,380.92
Payments made in redemption of order gold certificates.	9,610,000.00
Payments of currency made in redemption of coin.	10,158,486.00
Payments of currency for mutilated currency.	19,525,881.00
Shipments of currency.	22,485,023.00
Payments of coin.	15,155,092.00
Payments made on Treasurer United States transfer orders.	5,324,800.00
Payments of emergency currency.	150,150.00
Exchanges of currency.	12,390,400.00
Total.	114,152,212.92

If you take that away from us, all that business has to be done through Washington at a tremendous expense to our financial institutions.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. PLATT. The Subtreasury does not loan any money to anybody in Baltimore, does it?

Mr. LINTHICUM. No.

Mr. PLATT. All it does is to take in money and lock it up so that you can not get at it?

Mr. LINTHICUM. It does not lock up much of it. It pays it out on checks and drafts, it redeems currency that has been destroyed or defaced, it changes money into small coin so that it can be used in the large packing interests in Baltimore, and it does an innumerable number of things that help out in our financial world.

Mr. PLATT. Does it do anything that a national bank can not do?

Mr. LINTHICUM. Yes.

Mr. PLATT. Except locking up money?

Mr. LINTHICUM. Of course, a national bank could redeem currency which has been defaced or destroyed. It might change money, but can you imagine how much money it would compel the national banks to carry when you realize that the great packing interests of Baltimore do millions of dollars of business which they have to pay out in small coins, nickels and dimes and quarters? I can not imagine how much money the national banks would have to carry on deposit all of the time. You can imagine the business of this Subtreasury when I tell you that last year they did a business of over \$227,000,000.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. MANN. How does the Subtreasury furnish them money for their pay rolls?

Mr. LINTHICUM. I presume it gets a large part of it from Washington.

Mr. MANN. Does not it furnish it through the national banks?

Mr. LINTHICUM. No; it furnishes small coin through the Treasury Department.

Mr. MANN. What do they turn in to get the coin?

Mr. LINTHICUM. Notes of large denomination, checks, and paper of that kind.

Mr. MANN. Which they could just as well turn in at their banks and get the same thing for it.

Mr. LINTHICUM. I am not disputing the fact that if you are going to take away the Subtreasury at Baltimore, we might be compelled to expand the actions of our national banks to cover all those processes, but I do say that it will cost our financial institutions more than \$200,000 to do that, and all the appropriation here is \$31,500 to maintain our Subtreasury.

Mr. MANN. Does the gentleman think that we ought to establish a Subtreasury at Detroit and one at Columbus and one at Cleveland?

Mr. LINTHICUM. There is reason why Baltimore ought to have it.

Mr. MANN. And not Detroit?

Mr. LINTHICUM. Baltimore is a port of entry.

Mr. MANN. So is Detroit.

Mr. LINTHICUM. Detroit is not a foreign port of entry.

Mr. MANN. Why, certainly it is.

Mr. LINTHICUM. Not to any extent.

Mr. MANN. It is right on the border, and Baltimore is not. Baltimore is an inland town.

Mr. TALBOTT. It is on Chesapeake Bay.

Mr. LINTHICUM. Nobody would seriously consider the business that Detroit does with Canada. Baltimore is one of nine cities with Subtreasuries, and you pick out Baltimore and eliminate it and leave all of the other Subtreasuries in all of the other cities where they also have Federal reserve banks.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LINTHICUM. There is no reason why Baltimore should be separated and segregated as the one city to do away with the Subtreasury. If the Subtreasury is not of any use in Baltimore, of what use is it in any city that has a Federal bank? Why not take it from that city?

Mr. MANN. That is what we would like to know. We would like to eliminate all of them.

Mr. COADY. Will the gentleman from Illinois add to the bill the Chicago Subtreasury?

Mr. MANN. I am perfectly willing to eliminate the Chicago Subtreasury.

Mr. LINTHICUM. You have a Federal reserve bank in Chicago, and it can perform the functions of the Subtreasury.

Mr. MANN. There are lots of cities that do not have Federal reserve banks or Subtreasuries, and they have not all gone out of business.

Mr. GOOD. If Baltimore had a Federal reserve bank, would the gentleman then think they should still have the Subtreasury?

Mr. LINTHICUM. I want to say this: That if Baltimore had a Federal reserve bank, and you were going to do away with the Subtreasuries and give the power which the Subtreasury now has to the Federal reserve bank, and do it in all the cities that have Federal reserve banks, I do not know that we should object.

Mr. GOOD. What good purpose would the Subtreasury perform that could not be performed by the Federal reserve bank, if one were located there?

Mr. LINTHICUM. I am told that with very slight legislation, if any, the Federal reserve bank could perform the functions of the Subtreasury, but we have no Federal reserve bank.

Mr. GOOD. Then there would be no need of a Subtreasury at Baltimore, even from the gentleman's standpoint, if you had a Federal reserve bank there?

Mr. LINTHICUM. I am told, I say, that with slight additional legislation the Federal reserve bank can perform the functions of the Subtreasury, but the fact is, as I have said, that Baltimore has no Federal reserve bank. So let us have our Subtreasury and do business as we have done for nearly a half century.

Mr. LOBECK. Will the gentleman yield for a question?

Mr. LINTHICUM. Certainly.

Mr. LOBECK. Does not the Government have a Government depository in your banks?

Mr. LINTHICUM. The Government deposits in the national banks and then the money is transferred to the Subtreasury, and the custom receipts are sent to the Subtreasury.

Mr. LOBECK. And they would be reported to Washington?

Mr. LINTHICUM. Of course.

Mr. LOBECK. That is what they have to do in all the cities.

Mr. LINTHICUM. That may be where they do not have any Federal reserve bank.

Mr. LOBECK. We do more packing business in my city alone in a week than you do in a month.

Mr. LINTHICUM. Mr. Chairman, there is a statement made that Baltimore had only a cash balance of \$16,000,000 in the Subtreasury. I want to say the only reason Baltimore had a cash balance of \$16,000,000 in the Subtreasury was, before we built our new customhouse, where the Subtreasury is located, the money was reduced by the Treasury Department to \$16,000,000 because of the fact we had not the vault room for it, but in the present building we now have room for some \$50,000,000. But we have been able with that \$16,000,000 to do a business of \$227,000,000, so that we have not found the necessity for a larger deposit. We should be commended rather than penalized for being able to do such large business with this limited capital. There is no need of having a larger deposit than you need to do business and we have found that \$16,000,000 on deposit will do a business of \$227,000,000.

Now, I ask this committee in all fairness and justice to restore our Subtreasury appropriation. If in the future you consider these Subtreasuries are not needful and you decide to pass certain additional legislation giving that power to the Federal reserve banks, let us go before the committee and lay our claim before the committee and let it decide upon proof furnished to the committee and a proper hearing that it is unnecessary.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LINTHICUM. I would ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none.

Mr. LINTHICUM. But do not exercise this snap judgment on us, which is unjust to the Baltimore Representatives. We had not the slightest chance to go before the committee. We

knew nothing about this situation. There are people who wonder why Baltimore should be singled out without being given notice as to the abolishment of our Subtreasury. What we ask is fair play. Do not make fish of one and flesh of the other. Do not take the Baltimore Subtreasury away from Baltimore without giving her a chance for a hearing, a chance to produce evidence. Do not single her out as one in nine because we happen to be near by and the first on the list. Give us a fair show in this matter and let us have our Subtreasury restored to us at this time.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. Mr. Chairman, the following is a letter from the Acting Assistant Treasurer of the United States:

TREASURY DEPARTMENT,
UNITED STATES SUBTREASURY,
Baltimore, Md., December 14, 1916.

Hon. J. CHARLES LINTHICUM, M. C.,
House of Representatives, Washington, D. C.

Sir: At the request of Mr. C. C. Homer, president of the Baltimore Clearing House, I beg to hand you the analysis of the figures given you by Mr. Homer showing the transactions at the Baltimore Subtreasury from December 1, 1915, to November 30, 1916, aggregating more than \$200,000,000.

In reference to the cash balance of \$16,000,000 carried in the vaults of the Subtreasury at this city, please be advised that this amount may be reduced at any time by transfer order from the Treasurer of the United States, and was reduced by many millions of dollars to relieve the congestion of the vaults pending the construction of the present quarters, which have vault space to accommodate \$50,000,000 in coin.

The millions transferred have never been replaced, and the fact that the present balance has not reached larger proportions, notwithstanding annual transactions of over \$200,000,000, is due to the fact that the heavy deposits made with the Subtreasury are practically offset by the large volume of its disbursements.

Respectfully,

C. P. HAMMOND,
Acting Assistant Treasurer of the United States.

Mr. PLATT. Mr. Chairman, the gentlemen from Maryland [Mr. COADY and Mr. LINTHICUM] have set forth the claims of Baltimore in the Subtreasury matter very ably. It does seem a sort of injustice to take away the Subtreasury from Baltimore without giving a hearing, but I desire to say there is no reason for a Subtreasury in any place except as a matter of sentiment. A Subtreasury is of no benefit to the people of Baltimore, but it is a positive detriment. It takes in the money collected by the customhouse and locks it up, and if you take it away they will put that money in the banks of Baltimore, where it would serve as a basis of credit. All the Subtreasury can do for business is to make change. Perhaps if a man has got a \$1,000 bill he could split it up in the Subtreasury, but the banks can do the same thing, and far more.

Mr. COADY. If the gentleman will permit, I want to say in answer to the gentleman's query in that respect the banks would be compelled to keep a large amount of their own money on hand. They would be compelled to keep a large amount of money idle in their vaults.

Mr. PLATT. They would get it from the United States Government.

Mr. COADY. They could do that, but they would have to send to Washington for money and pay the express on it, which would be expensive, and of course they would lose the interest.

Mr. PLATT. Oh, no; they would not have to bring money from Washington, except perhaps rarely.

Mr. COADY. I beg the gentleman's pardon, but they would. They would be compelled to send to Washington and have the money expressed to Baltimore.

Mr. PLATT. Where does the money come from in the Baltimore Subtreasury now? Is it not taken in at Baltimore through the customhouse and the internal-revenue collector's office?

Mr. COADY. Not all the money. There are cancellations and—

Mr. PLATT. The reason why a Subtreasury was put at Baltimore was because considerable sums are collected in the customhouse there from duties on imports, as Baltimore is an important port of entry. There is no money sent there that does not come from there originally. Large amounts are collected in Baltimore, and that money ought to be deposited in the banks in Baltimore. The whole Subtreasury system was established in 1846 to take the place of the United States bank. Previous to that time the money was turned into the United States bank. Now we have practically restored the United States bank in creating the Federal reserve banks, and there is no earthly reason why we should keep up the Subtreasuries. The money collected from customs and internal revenue ought to be put in

the banks, and there is no bank in the United States that would not be glad to get it and put up collateral for it or make any other arrangement required. Of course, they would have to keep a large amount of money on hand, but they would get it in the form of deposits from the United States Government and it would be a great benefit to them.

Mr. TALBOTT. Will the gentleman yield?

Mr. PLATT. Yes.

Mr. TALBOTT. The bankers in Baltimore were all here before this committee, and they prefer to have the Subtreasury in which to deposit.

Mr. PLATT. I suppose it is a matter of pride with Baltimore to keep this Subtreasury. Baltimore ought to have a reserve bank, and if you abolish this Subtreasury you will have a branch reserve bank, and the branch will be so big that it will wag the other end.

Mr. COADY. Do I understand the gentleman's position to be this: This Congress has passed considerable legislation for the benefit of the working people of this country, for the farmers, for the cotton growers of the South, and do I understand his position to be to object to an appropriation of \$31,500 for the benefit of the business men and financiers of Baltimore, who give the money to enable the wheels of progress to go around?

Mr. PLATT. I may say that the Subtreasury in Baltimore is a positive detriment to the business interests of Baltimore, and the whole Subtreasury system is a drag on the business interests of the United States. I do not except the New York Subtreasury. There may be reasons for keeping a Subtreasury in New York, but I do not believe they are convincing. I think the money collected by the United States Government as revenue ought to go into the banks, where business men can borrow it if they want to do so, under such regulations and safeguards as the Government may see fit to put in force. The Subtreasury is a scheme for taking money and locking it up. It is an old stocking, a scheme for hoarding money. A bank is for keeping money in circulation. It is not an old stocking and is of benefit to the business interests of a city.

Mr. COADY. The gentleman evidently did not follow the statement read by my colleague [Mr. LINTHICUM], which showed receipts of over \$100,000,000 and an expenditure of more than the amount received, showing that there is no question of the old stocking there. It is a circulating medium.

Mr. PLATT. The Government pays out money on appropriations and pays it out as Congress votes it out. It takes in the actual cash, and does not create credit or put money in circulation as a bank does.

Mr. LINTHICUM. Does not the gentleman think if you are going to do away with the Subtreasuries at all, you ought to do away with them all? Do you think it better to leave the Subtreasury in cities that have not reserve banks than leave it in cities that have reserve banks?

Mr. PLATT. If you take this away from the city of Baltimore, you will have a reserve bank there, in my opinion.

Mr. TALBOTT. Let us have the bank first.

Mr. PLATT. I will help you.

Mr. COADY. I would like to say to the gentleman that there will have to be some changes down in the Treasury Department before Baltimore has any chance.

Mr. PLATT. That may be. I think it can be definitely proved to anybody that a Subtreasury is of no benefit to any town except as it employs a certain number of clerks. How many in Baltimore?

Mr. COADY. Twenty-one.

Mr. PLATT. All that it does for Baltimore is to pay the salaries of the assistant treasurer, cashier, and clerks who are there, and in these prosperous times every one of these men can get a better job if he would go out and hustle for it.

Mr. MANN. Mr. Chairman, I realize how difficult it is to abolish a job. There is no man or woman who holds a position under the Government of the United States but that can give a good and plausible reason for the continuation of the position, and there is no one so much without influence or friends that he can not persuade great numbers of estimable people to urge that the position be continued. That is the case here.

Mr. COADY. Will the gentleman yield?

Mr. MANN. If I get more time; but I do not want to yield for irrelevant matters.

Mr. COADY. Does the gentleman deny that these Subtreasuries are a great convenience to the business interests of the cities in which they are located?

Mr. MANN. I do. I deny that they are any convenience to the business interests, and assert that the only reason the gentleman is urging the continuation of the Subtreasury in Baltimore is because his leg has been pulled by it. He has to appear and advocate it. The business men of Baltimore think

they have to do so. They are asked to do so by the Subtreasury office. They are going to discriminate against Baltimore. You can raise that cry in any hamlet, village, or city in the United States and get an uproar at once from all the people there.

Mr. COADY. Does the gentleman admit that they are of great convenience?

Mr. MANN. I do not. I assert that they are no convenience to the business public.

Mr. COADY. I am sorry the gentleman is such a poor business man.

Mr. MANN. That is just a gratuitous insult.

Mr. COADY. I did not mean it as such, and if the gentleman took it as such I withdraw it. It was only a little pleasantry.

Mr. LINTHICUM. I will say to the gentleman that not one of the officeholders ever came to me with a proposition.

Mr. MANN. Oh, no; they have sent somebody. They have sent them to me. I know. It comes from the Subtreasury office.

Mr. GOOD. If the gentlemen will permit, I will say that we had a hearing yesterday morning, and the man most interested appeared before that committee, and he is holding the office of subtreasurer in Baltimore.

Mr. MANN. I do not want to criticize a subtreasurer for wanting to hold his place.

Mr. LINTHICUM. Let me answer the gentleman.

Mr. MANN. No; not in my time. It is enough to answer the gentleman myself, let alone somebody else. You can not stop one office without a contest.

Now, when we passed the Federal reserve act everybody here, I think, believed we were going to do away with the Subtreasuries. When the matter first came before the House on this appropriation bill after the Federal reserve bank was created I asked why we were continuing the Subtreasuries. The Committee on Appropriations did not know, but did not feel warranted in abolishing the offices without further information. The matter came up again last year. Last year the Committee on Appropriations, in reporting the bill, recommended that there be a report from the Treasury upon it, and included in the law this provision:

The Secretary of the Treasury is authorized and directed to report to Congress at the beginning of its next session which of the subtreasuries, if any, should be continued after the end of the fiscal year 1917, and if in his opinion any should be continued, the reasons in full for such continuance—

And so forth. The Secretary of the Treasury, in violation of the law, in plain disregard of the mandate of Congress, has insulted us by refusing to make any report upon the subject at all. Since when—

Mr. LINTHICUM. He included it in the Book of Estimates, did he not?

Mr. MANN. Since when has an executive officer of the Government grown so great that he refuses to report to Congress in reference to the possible abolition of an office in order to maintain some pet in a job? He is not trying to maintain the pet in Baltimore, probably. Perhaps the subtreasurer in Baltimore is not the particular man in the mind of the Secretary of the Treasury.

Mr. LINTHICUM. He included it in the Book of Estimates, which was sent to the Committee on Appropriations.

Mr. MANN. He did not comply with the directions of the law, which directed him to give the reasons for the continuation of any of these Subtreasuries; and being unable to find any reason for their continuation, he just plainly disregarded the act of this Congress and said nothing at all, and included these estimates in the Book of Estimates. There is no good reason for the continuation of any of the Subtreasuries.

I am sorry that Baltimore happened to be at the head of the list and happened to be struck first. I wish it had been Chicago. There is no reason there for a Subtreasury.

Mr. LINTHICUM. We will trade.

Mr. MANN. We ought to find nerve enough to abolish some of the useless offices now maintained by the Government, especially when we have created other offices to do the work which they now do.

Mr. BYRNS of Tennessee. Mr. Chairman, I do not think there is anyone who considered the matter who did not expect all of the Subtreasuries of the United States to be abolished after the passage of the Federal reserve act. It seems to me there can be absolutely no excuse for maintaining two governmental institutions, one of which is capable of performing all of the duties and all of the necessary functions required for the Government and the people.

Mr. TALBOTT. Mr. Chairman, will the gentleman yield for a moment?

Mr. BYRNS of Tennessee. Yes.

Mr. TALBOTT. If that is true, why did you not start on some location where they have a Federal reserve bank?

Mr. BYRNS of Tennessee. I am coming to that. That is the main purpose for which I rose.

Mr. TALBOTT. Was not this appropriation estimated for in the Book of Estimates?

Mr. BYRNS of Tennessee. It was estimated for in the Book of Estimates, and I will come to that if the gentleman will hear with me. Shortly after the Federal reserve act was passed the Committee on Appropriations began to make an effort to elicit from the Government officials the reason why all the Subtreasuries of the United States should not be abolished and their duties transferred to the Federal reserve banks. The act creating the Federal reserve banks specifically authorizes them to be made fiscal agents of the Government, and certainly there can be no reason why the duties performed by any Subtreasury can not be performed by the Federal reserve bank; and if my information is correct the Federal Reserve Board and the Federal reserve banks are very anxious to have those duties transferred to those banks. In addition to this, the farm-loan banks may also be used as fiscal agents.

Now, the gentleman from Maryland [Mr. TALBOTT] asked me why Baltimore was singled out for recommendation in this particular instance. As I said a moment ago, ever since the passage of the Federal reserve act the Committee on Appropriations has been endeavoring to get some information upon which it could base some report to the House with respect to these various Subtreasuries. The hearings of last year and the hearings of the year before will all show that this matter was gone into fully with the Treasury officials, and, as the gentleman from Illinois [Mr. MANN] said a moment ago, failing to get the information that we have called for repeatedly, the Committee on Appropriations recommended to this House, and Congress wrote into the law, a specific direction to the Secretary of the Treasury to report at the beginning of this session of Congress whether or not any of these Subtreasuries could be abolished, and, if not, to give Congress the reason why they should be maintained, or why we should not abolish them all.

Now, when the committee took up the hearings at this session we called for that report, but were informed that it had not yet been submitted; and, later on, before this bill was finally reported, we again called for it, and were unable to get it. I am merely stating the facts. The Secretary of the Treasury has been away in connection with his official duties as a member of the Farm Loan Board, and I am not criticizing anyone for the failure.

Now, we were convinced, and, I think, any man on the floor of this House will be convinced if he stops and considers it for a moment, that there is absolutely no reason, no economical reason, why any of these Subtreasuries should be maintained. The whole nine Subtreasuries are costing the people of this country approximately \$500,000 every year in salaries, and I want some gentleman to tell me why the people of this country should be taxed to maintain these nine Subtreasuries when, as a matter of fact, these Federal reserve banks can perform the same functions with the same degree of convenience to the public and at no additional expense to the people. In addition to that—

Mr. TALBOTT. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. TALBOTT. What I want to know is why the gentleman did not select some place that has a Federal reserve bank and a Subtreasury, both, and wipe out the Subtreasury there, and then find out how it would work. That is what I want to know—why you discriminate against Baltimore and leave undisturbed the Federal reserve-bank cities where the other Subtreasuries are?

Mr. BYRNS of Tennessee. When the committee began to consider this matter at this session, with such information as could be obtained, it was disclosed to the committee that Baltimore carried the least amount of funds of any Subtreasury in the United States on November 29 of this year. The statement was made that on that day Baltimore was carrying funds of the Government amounting to \$16,000,000; that Boston was carrying funds amounting to \$33,000,000, Chicago \$115,000,000, Cincinnati \$33,000,000, New Orleans \$30,000,000, New York \$325,000,000, Philadelphia \$25,000,000, St. Louis \$43,000,000, and San Francisco \$90,000,000.

It developed in the hearings that Baltimore was carrying less than 50 per cent—

The CHAIRMAN. The time of the gentleman has expired.

Mr. Sisson. I ask unanimous consent that the chairman of the subcommittee in charge of the bill may have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Tennessee be extended five minutes. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. It developed that Baltimore was carrying 50 per cent less funds than any other Subtreasury in the United States; that it was the smallest and did less business than any of them.

Mr. TALBOTT. And yet did over \$200,000,000 of business.

Mr. BYRNS of Tennessee. In addition to that, Baltimore is located within 40 miles of the city of Washington, within about an hour's ride of the main Treasury. The Baltimore banks can therefore get the necessary coin from the Treasury more cheaply and more quickly than the banks of any other city. As has been suggested here, there are large cities all over this country which have no Subtreasuries or Federal reserve banks, and we have not heard any complaint from the bankers and business men of those cities that their business is being injured because they have no Subtreasury.

Mr. FESS. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. I yield to the gentleman from Ohio.

Mr. FESS. In view of the fact that we have no instructions from the Secretary of the Treasury, when our request was that if there was any reason for continuing the Subtreasury the reason be given, is not that a justification of the abolition of all of these Subtreasuries?

Mr. BYRNS of Tennessee. I think the gentleman from Ohio is entirely correct in his conclusion, and possibly if we abolish one of them, or if we abolish a number of them—and I am willing to vote to abolish all of them, because I do not believe they are necessary—if we abolish some of them, then if there is any real, genuine reason why they should be maintained, some one may furnish the reason to Congress, something which has not been done up to this time.

Mr. COADY. Will the gentleman introduce an amendment to abolish them?

Mr. TALBOTT. To abolish all of them?

Mr. BYRNS of Tennessee. I will vote for such an amendment.

Mr. COADY. If the gentleman believes they ought to be abolished, he ought to be consistent enough to offer an amendment to do it.

Mr. BYRNS of Tennessee. I have been a Member of this House long enough to know that when you undertake to combine together a great many of these various propositions to abolish useless Government positions you have less opportunity to abolish any of them.

Mr. TALBOTT. That shows how unfair you are to our city of Baltimore.

Mr. BYRNS of Tennessee. A few years ago, when a proposition was made to abolish all the needless and useless assay offices over the country, there was a combination of the delegations from the States in which these assay offices were located, as a result of which the proposition to abolish them was defeated; but I want to say to the gentleman from Maryland that if he will offer a proposition to abolish all of these Subtreasuries I will very cheerfully vote for it.

Mr. COADY. As I understand the gentleman, that is a warning to Boston, New York, Philadelphia, Chicago, St. Louis, and some other cities to look out, that the same thing is coming to them.

Mr. STAFFORD. They are not represented here as Maryland is.

Mr. MOORE of Pennsylvania. I think the gentleman ought to withdraw that remark.

Mr. STAFFORD. In view of the fact that the gentleman from Pennsylvania [Mr. Moore] is here, I think I will. [Laughter.]

Mr. BYRNS of Tennessee. It is a warning to this extent, that those cities should be sufficiently patriotic and interested in the general public good to understand that the Federal reserve banks can carry on the business of these Subtreasuries, and that in the interest of economy, in the interest of a tax-burdened people, this expense of over \$500,000 ought to be taken from their shoulders and the functions of the Subtreasuries transferred to the Federal reserve banks.

Mr. TALBOTT. Mr. Chairman, I move to strike out the last word. I am going to take only a minute. The gentleman says the Federal reserve banks ought to take the places of these subtreasuries. I admit that they can in the cities where there are Federal reserve banks; and the bankers who came before the gentleman's committee yesterday from Baltimore stated that if they had a Federal reserve bank they would not be asking for the continuance of the subtreasury in Baltimore. But we have

no Federal reserve bank. Now, what I want to know is, If you believe that the Federal reserve banks can take the place of the subtreasuries, why did you not select, for the purpose of ascertaining whether they could do it, a city with a Federal reserve bank? That is what I want to make this House understand.

Mr. MOORE of Pennsylvania. I move to strike out the last two words.

Mr. Chairman, I shall support the amendment offered by the gentleman from Maryland [Mr. COADY], and I call upon gentlemen from the State of Massachusetts to witness what has just taken place in this House. Not such a combination of assay office representatives as the gentleman from Tennessee has kindly indicated existed heretofore, but a combination prepared to take away from the State of Massachusetts the Subtreasury that is now located at Boston, and that has been located there for many years. And taking the gentlemen at their own word, those who propose to abolish the Subtreasury at Baltimore, I call upon the gentlemen from Massachusetts in this House to take notice that they have warning that the next step is to abolish the Subtreasury at Boston, Mass. Let every gentleman from Massachusetts take notice that the committee have begun their work upon Baltimore, and have given notice that they propose to proceed against Massachusetts next.

Mr. GORDON. And Philadelphia, too.

Mr. MOORE of Pennsylvania. It looks that way. I call upon gentlemen in this House representing the State of Illinois—and there are many of them, and very good, strong Representatives of the people of that great State—to observe that notice has been given that the next move will be to remove from the city of Chicago the Subtreasury that has been there for many years, and that has been doing excellent service.

Mr. GARDNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Massachusetts.

Mr. GARDNER. As a gentleman from Massachusetts, having every intention of voting for the amendment of the gentleman from Baltimore [Mr. COADY], I suggest that it is not always well to threaten people.

Mr. MOORE of Pennsylvania. In view of that statement I call upon the able Representatives of the great State of Ohio—and there are many of them in this House now, and others will be here when the time comes to vote upon this question—to observe that they have notice that the entering wedge has been driven for the destruction of all the Subtreasuries in the United States, and that the committee intend to proceed against the State of Ohio next year and to remove from Cincinnati the Subtreasury that has long existed at that place.

Mr. PLATT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not, because I want to pass down the line. The gentleman is in opposition and wants to do away with the Subtreasury in New York. I am not in favor of that just now. I have been calling in clarion tones, as it were, to the gentlemen from Ohio to take notice that they are in danger of losing their Subtreasury. Are there any Representatives from Louisiana here? Well, let me suggest to them that they have had in New Orleans for many years a Subtreasury of which they have been proud and which they earnestly needed.

Mr. FESS. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I regret I can not yield to my friend from Ohio. I want them all to take notice that they have notice from the committee in charge of this bill that the purpose is to do away with all Subtreasuries.

I call upon the Representatives from the State of New York, the great Empire State that usually defends itself well in this House, to observe that the committee has served notice that the destruction of this Subtreasury at Baltimore is but a move ahead of the taking away from New York of the Subtreasury which, according to the report read by the gentleman from Tennessee a moment ago, has housed more than \$200,000,000 at a recent period. We are going to distribute this money to other sections of the country, and the New York Members will kindly take notice.

I call upon the Representatives from Pennsylvania to observe—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Well, it is the same thing with Missouri and the same thing with California. Gentlemen, get busy, for the "big stick" is on your trail. [Laughter and applause.]

Mr. CANNON. Mr. Chairman, I make the pro forma amendment to strike out the last two words. I do not know that I have knowledge which I can impart to the members of the committee as to the propriety or impropriety of the provision in the bill. I do know that the consensus of opinion in Illinois,

and I believe in Indiana and generally throughout the country, that the member banks of the central reserve bank have not paper that they can discount and will not have in the future under the existing law in regard to Federal reserve banks. I do know further that there is a practically universal protest. I think I may safely say that over two-thirds of the member banks of the Federal reserve bank, or its branches, are uneasy and restless because they are compelled under the law, without one cent of interest, without any advantage to themselves, to make large deposits in the Federal reserve bank without interest or profit.

I think I know further that in the so-called and real depression that followed 1913, when we were in great trouble, that the relief that was given was not under the Federal reserve banking law, but it was given under a law that was continued for a year longer when the Federal reserve law was enacted. The relief came under the provisions of that law that was continued for one year.

Now, I know further, and I can safely say, that in the Middle West the members of these reserve banks keep deposits with the city banks in the Federal reserve cities for the reason that they get 2 per cent interest for the money that is not being used, and with the hope and expectation that if they want their money out of the banks where it is deposited in the reserve cities, that perchance they may get it out by the reserve-city banks furnishing the security that will enable them to get the money from the central reserve bank to pay the country banks what the city banks owe them.

Now, I do not know, under the existing conditions, whether the Subtreasuries should be abolished or not, but so far—and I think I could have substantially the uniform approval of the banks in the Middle West, the country banks, in this statement—that so far as I am concerned, I believe I am justified in saying that if they were present, without exception I would receive great applause for what I am saying now. [Applause.]

Mr. GLASS. Mr. Chairman, I move to strike out the last three words. I am sure that the gentleman from Illinois [Mr. CANNON] is inconsiderate and uninformed when he undertakes to make to this House a statement that the member banks of the Federal Reserve System have not in their portfolios paper which may be rediscounted with the Federal reserve banks. As a matter of fact, when I last examined the figures, there was in the portfolios of the member banks, outside of the reserve and central reserve cities, \$1,326,000,000 of paper that was subject to rediscount on the 90 days' basis and a large additional amount of cattle and other agricultural paper of six months' maturity. Of the 90 days' paper the great Middle West alone supplied, as I recall, nearly a third of the total amount, while of the cattle paper nearly the whole of it was furnished by the West and Southwest.

I further desire to say to the gentleman, when he represents to the House that the banking community of the United States does not derive any advantage from the Federal Reserve System, that his impression is radically different from that which I have, as well as from that which anybody must receive by close observation of the operations of the Federal Reserve System. The system, for the first time in 50 years, insures the banking community of the United States against precipitate crises in financial matters and the country against appalling panics. The banks of the country are thoroughly well satisfied, except a certain group that wants to continue to graft on commerce and industry by appropriating to itself the privilege of indiscriminate taxation. The banks that are most dissatisfied with the Federal Reserve System are not members of it, but desire to use its facilities without accepting its responsibilities.

I desire to insist, in spite of the gentleman's observation to the contrary, that it was the Federal Reserve Banking System that protected this country against a financial catastrophe when the European war broke out; and to his observation that it was the Vreeland-Aldrich Act that averted disaster, I desire to respond by saying that the original Vreeland-Aldrich Act was not worth the paper it was written on until the Sixty-third Congress radically amended its provisions and made it operative.

Under that act as originally passed the tax on emergency currency ranged from 6 to 10 per cent, and the gentleman from Connecticut [Mr. HILL], one of the best-informed Members of the House, served notice upon Congress at the time that the Vreeland-Aldrich bill was pending that no prudently operated bank on earth could avail itself of its privileges; that it was preposterous to imagine that the crops of the country could be moved or urgent business be transacted with an emergency currency taxed at from 6 to 10 per cent. Moreover, the Republican chairman of the Banking and Currency Committee of the House observed at the same time that any bank that would

apply for currency under the terms of the Vreeland-Aldrich bill, with its prohibitive rate of taxation on emergency notes, would not need currency, but would need a receiver, and that if he were the Comptroller of the Currency he would appoint a receiver for it. It was not, therefore, the original Vreeland-Aldrich Act, but a very different act, that met the emergency in August, 1914. Furthermore, I call the gentleman's attention to the fact that the extension of the Vreeland-Aldrich Act constituted a provision of the Federal reserve act itself. But for the enactment of the Federal reserve act we should have had, when the crisis came, neither the Vreeland-Aldrich Act, which had expired by limitation, nor the Federal Reserve System. We should have been utterly helpless under the rigid restrictions of the old national bank act.

As to the merits of this proposition to abolish the Subtreasuries, I am not precisely informed. If they ought to be abolished, why they ought to be abolished, and that is all there is to it. The House should act without reference to the outcry of those who lustily protest, for undisguised local reasons, that an institution once created should forever be retained. The spectacle presented here a moment ago, when the gentleman from Pennsylvania [Mr. MOORE] appealed to Congressmen of States having subtreasuries to band together, regardless of the merits of the question, to prevent what may be a desirable economy in the conduct of the public business, was amazing. It was, indeed, the most extraordinary spectacle I have witnessed in the 15 years I have been a Member of this House.

Mr. CANNON. Mr. Chairman, frankly I do not know what office the Subtreasuries perform for the country that would fail to be performed in the event they were wiped out. I have always been a little conservative touching matters of which I am not fully informed, about changing the law until I am informed. There is a great deal of money locked up, you say, in these Subtreasuries, but there is not more than enough, I presume, to keep the silver bullion and dollars in the Treasury Department at a par with gold and to support the greenbacks at a parity with gold. But I shall not speak of that further. I do know one thing, however, or think I know it. I think the reserve system is here to stay, but it stays in my section of the country, in the Middle West, so far as the country banks are concerned, as they believe, very largely at their expense, without profit; and I want to say that in the Middle West the country banks do not graft. The rate of interest follows the market, substantially. Their discounts, however, are to the business men in the smaller towns, and in the smaller cities, and to the farmers, although in the main in the section of the Middle West where I reside the farmers are quite six in their deposits in the banks, while other people are half a dozen. What I complain of is not on my own account, but the protests that I get, that this act, if it is to remain permanently, ought to be improved to be of some advantage to three-quarters of the banks of the country—not for graft; nay, nay, but in their accommodation where they do accommodate the farmers, and they do where the farmers desire it in my section, as well as the business men; and the paper that they take does not fill the requirements of the Federal reserve act. How far we could amend the law so as to meet that difficulty I do not know. Oh, it is a last year's bird nest to quarrel about whether it was the Aldrich-Vreeland Act or the Federal reserve act that benefited the country. You repealed the Aldrich-Vreeland Act, or, rather, it expired by limitation, and you extended it for a year. Possibly and probably you added some amendments to it that made it more workable.

So far as I am informed, I want to be practically fair to the House and fair to myself. There was a depression in 1907, and the country banks received relief from deposits of public money in the Subtreasuries and at Washington upon securities not deposited by the country banks, but upon securities that were good and valid deposited by the city banks, and the money was used by the city banks to pay their indebtedness to the country banks, and I believe never a cent lost. I do not care about wrangling over this matter. I say again, it may be that these Subtreasuries ought to be abolished. I only have the feeling, as one Member of Congress, that I ought to be further informed. The regional act is far more popular in the great commercial centers than it is in the country.

I had occasion at a State bankers' meeting in Illinois last fall, where there were 500 country bankers present one evening dining at the close of their session, to make substantially the remarks I made here, and I said, "If there is any country banker or any banker present outside of the city of Chicago who indorses the Federal Reserve System, let him hold up his hand," and I waited, and I looked around over that audience of 500 bankers and not a hand went up, and I said, "No one is satisfied with the Federal Reserve System under the present condition of the legislation."

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GOOD. Mr. Chairman, I had supposed that this matter had been pretty thoroughly thrashed out in the hearings and on the floor of this House. I have yet to hear one word why these subtreasuries should be retained. When the bill creating the Federal reserve banking system was under discussion on the floor of the House it was frequently stated that it was the intention that that system should absorb all of the duties of the Subtreasuries, and since that law has been in effect not a single person has appeared before the subcommittee and given a single reason for the retention of the Subtreasuries. Out of an abundance of caution last year when this bill was before the House we wrote into the law that at this session of Congress the Secretary of the Treasury should report which of the Subtreasuries should be retained.

Here is the act of Congress approved May 10, 1916:

The Secretary of the Treasury is authorized and directed to report to Congress at the beginning of its next session which of the subtreasuries, if any, should be continued after the end of the fiscal year 1917, and if, in his opinion, any should be continued, the reasons in full for such continuance; also if any or all of said Subtreasuries may be discontinued, what legislation will be necessary in order to transfer their duties and functions to some other branch of the public service or to the Federal reserve banks.

That is the law; that the Secretary of the Treasury, you will observe, was commanded to report to us at the beginning of this session of Congress what Subtreasuries should be retained—not what ones should be abolished, but what ones we should retain; and as the chairman, Mr. BYRNS, has told you, when we tried to get the Secretary of the Treasury to come before our committee and tell us which ones should be retained he was not in town, and we postponed the hearings on that proposition from day to day and at all times requesting some one to come and tell us which of these Subtreasuries we should retain. Neither the Secretary of the Treasury nor anyone for him has yet appeared before the committee or furnished this information.

And to this day the Secretary of the Treasury, in violation of the act of Congress and in plain violation of his duties, has not told Congress which one should be retained. The logical inference is that all should be abolished. It remained for the gentleman, the distinguished gentleman from Pennsylvania [Mr. MOORE], to tell us why they should be retained, and his reason is that Members of Congress from Massachusetts, and especially from Boston, from New York, from Ohio, from Illinois, and the other States where Subtreasuries are located, should violate their oaths as Members of this House and for reasons of pure pork and for no other consideration should vote to retain these Subtreasuries. The gentleman from Maryland had a hearing yesterday. Bankers came before the subcommittee. What was their argument? Their argument was that because they did not have a Federal reserve bank in Baltimore it was necessary, if we should abolish the Subtreasury there, for the bankers there to pay the express charges on coin and currency that is shipped from the Treasury at Washington to the national and other banks at Baltimore.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GOOD. No; I can not yield. And if this is a sufficient reason for the retention of the Subtreasury at Baltimore, is it not also a sufficient reason why we should establish a Subtreasury in every State and every city where you have a national bank and unload on the Government, if you please, the expense of sending subsidiary coin and currency to the various National and State banks? Why, they estimate that cost, as I recall it, to express the coin and currency to Baltimore, if we should abolish the Subtreasury there, at about \$50,000. Who pays it now? Why, the Treasury of the United States pays it. And that is why Baltimore wants to retain the office. My friend from Tennessee [Mr. BYRNS] says that the Subtreasuries cost \$500,000. They cost that much in this bill, and I recall we appropriated a large sum of money in the sundry civil bill to pay the expense of sending coin and currency from the Treasury at Washington to the various Subtreasuries.

Mr. BYRNS of Tennessee. I was referring to the salaries.

Mr. GOOD. I understand that. In addition, there is a large sum appropriated in another bill. Why should not these people pay for sending the coin and currency to Baltimore the same as other cities do?

Mr. COADY. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask for a couple of minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman. [After a pause.] The Chair hears none.

Mr. COADY. The gentleman asks why we should expend this amount of money. Does not the gentleman think we should expend this money, \$500,000, if it is in the interest of the business and commercial—

Mr. GOOD. Not unless it is needed to perform a governmental function. There is no more reason for a Subtreasury at Baltimore than there is for many other cities, such as Detroit—

Mr. COADY. That serve the business interests of the country.

Mr. GOOD (continuing). Or Buffalo or Pittsburgh or Omaha or a great many other cities—

Mr. KONOP. Or Milwaukee.

Mr. GOOD. Every bank outside of a Subtreasury city pays the express on every kind of currency and so should Baltimore. One reason why the committee decided to eliminate the Subtreasury at Baltimore was that Baltimore is only an hour's ride, 40 miles, from Washington. Anyone having business with the Treasury of the United States from Baltimore can come to Washington in an hour's time. Then, why should we appropriate this sum of money in addition to the \$50,000 the bankers estimate that it would cost us to send the currency and subsidiary coin from the Treasury at Washington to that Subtreasury. It seems to me that inasmuch as not a single reason has been advanced by the Secretary of the Treasury why any of these Subtreasuries should be retained, although instructed by Congress to point out the Subtreasuries that should be retained, and nobody here or elsewhere can give a good reason for the retention of this office, we ought in the interest, especially in the present condition of the Treasury of the United States, to be mindful of a threatened deficiency there, even if the Secretary is not.

The CHAIRMAN. The time of the gentleman has expired. All pro forma on amendments are withdrawn and the question is on the amendment offered by the gentleman from Maryland [Mr. COADY].

The question was taken, and the Chairman announced the yeas appeared to have it.

On a division (demanded by Mr. LINTHICUM) there were—ayes 59, noes 60.

Mr. LINTHICUM. Tellers, Mr. Chairman.

Tellers were ordered.

The committee again divided; and the tellers (Mr. BYRNS of Tennessee and Mr. COADY) reported that there were—ayes 71, noes 60.

So the amendment was agreed to.

The Clerk read as follows:

Boston, office of assistant treasurer: Assistant treasurer, \$5,000; cashier, \$2,500; paying teller, \$2,500; vault clerk, \$2,000; receiving teller, \$2,000; redemption teller, \$1,800; clerks—one \$2,200, five at \$1,600 each, one \$1,500, one \$1,400, two at \$1,200 each, three at \$1,100 each, four at \$1,000 each; chief guard, \$1,100; three watchmen, at \$850 each; laborer and guard, \$720; four money counters and handlers for money laundry machines, at \$900 each; in all, \$46,570.

Mr. SISSON. Mr. Chairman, I make the motion to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 59, strike out the paragraph beginning in line 1 and ending with line 9.

Mr. SISSON. Mr. Chairman, it is in the mind of your committee that these Subtreasuries are not needed. I am not going into any discussion at length on this question and do not want to provoke it, but I have felt all along that these Subtreasuries are useless. To begin with, you lock up something like \$500,000,000, averaging about that much, which lies in these nine subtreasuries, useless to the country. I think it would be of very great assistance and help to the Federal Reserve System if we would put it in the Federal reserve banks, where it can be used and drawn against. In addition to that, the mere item of expense is something that is enormous. I do not believe that it was in the minds of the committee to single out any particular city, but it happened Baltimore came first.

Mr. IGOE. Will the gentleman yield?

Mr. SISSON. I will.

Mr. IGOE. The gentleman says there are \$500,000,000 locked up. Now, is not that money held to redeem the gold and silver certificates, and how can you use it? If you do not keep it there, will you not have to bring it to Washington?

Mr. SISSON. If it is in the Federal reserve banks it could perform identically the same functions—

Mr. IGOE. Yes; but you would not use it in the commerce of the country.

Mr. SISSON. You could as a reserve.

Mr. IGOE. You could not do anything of the kind, because it is held against the gold or silver certificates, and naturally you have to have it there when people bring the certificates in.

Mr. SISSON. Some of the money deposited in the Subtreasuries is deposited for that purpose, but the money collected

from time to time in those cities is not kept there for that purpose.

The amount of money which is put into the Subtreasuries against gold certificates is a fixed amount and ordered to be kept there by the law.

Mr. IGOE. We have not any \$500,000,000 available. If we had, we would be in much better position than we are now.

Mr. Sisson. If you take the amount of money that is in the Subtreasuries of the United States according to the last report, it is something over \$1,600,000,000.

Mr. IGOE. What is it used for?

Mr. Sisson. I did not have any reference to that \$1,600,000,000. I am speaking of that which floats about, not in the Subtreasury at New York, where we were called upon to build the vaults for the purpose of keeping the gold bars as a guaranty against the gold notes that have been issued. I am speaking of that which floats around at the Subtreasuries of the country. It may be a special convenience to a particular city where it is located, but under the old system of banking somebody had to have the convenience and you had to select arbitrarily the city in which you placed it, and that was the center and a convenience to the banks that needed the currency. But under the present Federal system of finances no living man has yet suggested a single thing—and we have had three years on the investigation, three hearings before the committee—or a single reason why this business should not be transacted in the 12 Federal reserve banks and not in the 9 Subtreasuries.

Mr. TILSON. Will the gentleman yield?

Mr. Sisson. I will.

Mr. TILSON. Would not the gentleman's argument apply to all the banks and all the Subtreasuries, and would not the committee have been in better position before the House if they had gone right to the root of the matter and abolished all of the Subtreasuries?

Mr. Sisson. Well, that might have been tactically a better position, and I want to say that personally I agree with the gentleman; but they say if you can not abolish one you can not abolish them all.

Mr. MOORE of Pennsylvania. Does the gentleman think the Federal Reserve Bank System has proceeded far enough for the country to be satisfied that it ought to abolish the existing system?

Mr. Sisson. I think there is no question about it.

Mr. MOORE of Pennsylvania. The committee came in here—

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. Sisson] has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I would like the gentleman to answer that question, because when I was discussing the matter from the floor a little while ago I had no opportunity to discuss the merits of it.

Mr. Sisson. What is the question?

Mr. MOORE of Pennsylvania. My point is this, that the Federal Reserve Bank System has not proceeded far enough, has not yet secured a sufficient foundation in this country, for us to let go and abolish an existing system that we may still need.

Mr. Sisson. So far as that single proposition is concerned, that the Federal Reserve System should not prove to be a success, I do not concede at all, because I believe it will succeed and is already a success; but if not it will merely mean that in the same bill in which you should abolish the Federal Reserve System you may reenact the Subtreasury system.

Mr. STAFFORD. I want in reply to the gentleman to answer his question. It was stated, as the gentleman will recall, in the hearing yesterday that the Federal Reserve System has advanced so far in Boston, for instance, that they have abolished the clearing-house system there, and there is no longer any necessity for any clearing house in Boston, but that that work is being performed by the Federal reserve bank of Boston.

Mr. Sisson. Yes.

Mr. MOORE of Pennsylvania. If the committee had been satisfied that it could recommend to this House the abolition of all the Subtreasuries because of its confidence in the Federal Reserve System, was it altogether fair to come in here with a proposition to abolish the Subtreasury at Baltimore merely as an example to the rest of the Subtreasuries?

Mr. Sisson. The criticism is of the committee, and I do not think it is a just one at all. My own personal position is that we ought to abolish all, but the committee felt that Baltimore, being close to Philadelphia, within an hour's run, and close to Washington, too, with the trains running as regularly

as they do, any argument that might be made about the supply of coin or currency would be more easily met there; and the committee took that view of it. My own personal view—and I will state now that I am acting in my own individual capacity in making the motion to strike this out—

Mr. LONGWORTH. This is not a committee amendment, then?

Mr. Sisson. It is not; but it is an amendment of your humble servant's.

Mr. GARDNER. Will the gentleman withhold that amendment until to-morrow? There is no Massachusetts man on the floor of the House except me. I do not think it is a proper thing to bring that matter up at this late hour. I would request the gentleman to ask unanimous consent to have it go over until to-morrow.

Mr. Sisson. I will state that I have no objection to its going over; but, of course, our friends from Boston ought to be as regular in attendance as the gentleman who now has the floor.

Mr. GARDNER. One of the Members from Boston is on the floor, as I see now, so that I will withdraw my suggestion.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. Sisson. Yes.

Mr. LOBECK. In what way does the Subtreasury receive its money?

Mr. Sisson. The Subtreasuries get their money from the collections of internal revenue and the collections of customs duties at the ports.

Mr. LOBECK. Is that so?

Mr. Sisson. Yes. The Government officials collect the money from the various sources and put it in the Subtreasuries. The Subtreasury does not pay out the money.

Mr. LOBECK. There was a time in 1897 when the Subtreasury people could not get their money in the Subtreasury for two months.

Mr. Sisson. I have no objection to the Boston item coming up, but I am going to move to abolish each one of these Subtreasuries in its time. I do not think anybody will accuse us of singling out just one particular Subtreasury.

The CHAIRMAN (Mr. FOSTER). The time of the gentleman from Mississippi has expired.

Mr. TAGUE. Mr. Chairman, I hope that the gentleman will permit this matter to go over until to-morrow. I want to assure the gentleman that I have been here attending to my duties and have been attending a committee meeting for three days. That is the reason why I was not on hand and in attendance on the meeting of the House this morning.

Mr. Sisson. I understand the gentleman has been attending the sessions of the Committee on the Post Office and Post Roads. I have some little intimation from what the House did awhile ago with respect to the Baltimore item, which was singled out, that the Boston proposition will have the same fate.

Mr. DYER. Will the gentleman agree to go on then?

Mr. Sisson. No. I would like to have included in this Baltimore and all the Subtreasuries, all down along the line, and then the Secretary of the Treasury would have to say something to Congress. He would have to hear our request after the enactment of a positive law to the effect that we wanted to know why we could not abolish all these Subtreasuries, and if there was any reason why they should not be abolished, to state that reason, and what reason there may be why we should not abolish them all. In that way we may get an expression and response from the Secretary of the Treasury.

Mr. DYER. Will not the gentleman amend his unanimous-consent motion to include all the items, and vote upon them? Or does the gentleman want to vote on them now?

Mr. Sisson. I am willing, Mr. Chairman, that all the subtreasury matters should go over until to-morrow, including all the nine subtreasuries, and to-morrow I will make the motion to strike them all out at the same time.

Mr. MANN. The gentleman can not make that motion under the rules of the House. We have already wasted a half a day on this matter, and it seems to me we ought to wind it up to-day. If we go over it to-morrow, it will take all afternoon to-morrow.

Mr. Sisson. I am willing to accommodate the wishes of the gentlemen of the House.

Mr. MANN. If it is the desire of the Members of the House to expedite the business of the House enough to warrant us in taking a holiday recess, we can not afford to spend two days on the Subtreasuries.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. Sisson].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. TAGUE and Mr. IGOE demanded a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 45, noes 25.

Mr. MOORE of Pennsylvania. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded. Those in favor of taking this vote by tellers will rise and stand until they are counted.

Mr. GARDNER. Pending that, Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and four Members—a quorum—are present. A quorum is here. The gentleman from Pennsylvania [Mr. Moore] demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted. [After counting.] Eighteen have risen, not a sufficient number. Tellers are denied.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Chicago, office of assistant treasurer: Assistant treasurer, \$5,000; cashier, \$3,000; assistant cashier, \$2,000; vault clerk, \$2,250; paying teller, \$2,500; assorting teller, \$2,000; redemption teller, \$2,000; change teller, \$2,000; receiving teller, \$2,000; 2 bookkeepers, at \$1,500 each; clerks—1 \$1,750, 1 \$1,600, 9 at \$1,500 each, 13 at \$1,200 each; attendant for money-laundry machines, \$1,200; hall man, \$1,100; messenger, \$840; 3 watchmen, at \$720 each; janitor, \$720; 8 money counters and handlers for money-laundry machines, at \$900 each; in all, \$71,420.

Mr. Sisson. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The gentleman from Mississippi moves to strike out the paragraph.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to be heard on that motion, because it is snap judgment on Representatives of the House who are not here at this time.

A little while ago a fair test was had here, so far as the Members present were concerned, with respect to the Baltimore item. A motion was made to replace in the bill the usual figures for the Baltimore Subtreasury. That motion was resisted by the committee. A vote was taken, and it resulted in favor of restoring the Baltimore Subtreasury to the bill. The committee, persisting in its desire to abolish the subtreasuries of the country, through one of their members at least, then made a motion to strike out the Boston item. The Representatives from Boston, some of them busy elsewhere, were not very largely upon the floor, having left the House, as the Representatives from other States had done, after the Maryland test vote was taken.

Mr. LINTHICUM. The Maryland Representatives are here.

Mr. MOORE of Pennsylvania. They may have returned—I am not referring particularly to Maryland—and if I can keep on talking until more Members return, my purpose in addressing the House will have been accomplished. I am watching the time, so that I may have the full five minutes to make this statement. This may give Members a chance to come in.

Mr. LINTHICUM. I have been here all the time.

Mr. GORDON. Will the gentleman from Pennsylvania yield?

Mr. MOORE of Pennsylvania. No; I will not yield.

Mr. LINTHICUM. I have not been out of the hall of the House.

Mr. MOORE of Pennsylvania. I am glad the gentleman from Maryland is here. I accept his statement, of course, but I hope other Members interested will come in.

Mr. GOOD. Mr. Chairman, I make the point of order that the gentleman is not addressing himself to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am addressing myself to the amendment, and I hope I may do so without being filibustered against by members of the Committee on Appropriations.

The CHAIRMAN. The gentleman will confine himself to the motion which is before the committee.

Mr. MOORE of Pennsylvania. I am endeavoring to confine myself to the motion. I am resisting the motion to strike out the Chicago paragraph. I am aware that some gentlemen from Illinois are not in favor of retaining the Subtreasury in their own State; but if by holding the floor a little while to argue this question I may give Members from Illinois, and from Chicago in particular, an opportunity to go to the telephone and advise their fellow Members exactly what is happening, I may do some good for the city of Chicago and the State of Illinois. It seems to me Illinois ought to be advised that the guillotine is about to fall—

Mr. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I can not yield, because I have but five minutes. I am glad the gentleman from Illinois [Mr.

RAINEY] has arrived and taken his place on the floor, in order, if he pleases, to declare himself against this motion.

Mr. RAINEY. I have been here during this entire discussion.

Mr. MOORE of Pennsylvania. I assume that is so. The gentleman from Illinois is eloquent and forceful, and could defend this item with singular ability if he desired to take the floor to endeavor to hold for his own State and for all the people of the country interested in its retention the Subtreasury at Chicago, which this committee is now endeavoring to abolish. I hope when I have finished, having attracted the attention of the gentleman from Illinois and others, that he will rise in his place and say that this is an unfair proceeding, that without notice to the people of Illinois, and particularly without notice to the people of Chicago, it is now proposed to sweep the Chicago Subtreasury off the map, without the business men of that community having a chance to be heard at all.

Now, by this motion the committee proposes to strike out the Chicago Subtreasury. That is only one Subtreasury; there are others. I call attention to the fact that the Cincinnati Subtreasury is next in line, and that some gentleman from Ohio might do his State a service and the Government a service by going to the telephone to call in the Ohio Members, and that the same thing might be done with respect to the State of Louisiana. Some gentleman might go to the telephone and call in the Louisiana Members, in order that they might thoroughly understand what is about to be done to the New Orleans Subtreasury, and the same with regard to New York, the same with regard to Pennsylvania, the same with regard to Missouri, the same with regard to California, some of whose Members have gone away, thinking the fight was won on the single item of Baltimore.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARDNER. Mr. Chairman, as a substitute for the gentleman's motion, I move to strike out the last word. For my part, I am perfectly willing to have this whole question considered on its merits; but if there is a disposition in this House to treat these questions unfairly, when the committee of the House whose duty it is to prepare this bill reports appropriations for all Subtreasuries except Baltimore, and then the Committee of the Whole restores the appropriation for Baltimore, and when it is moved to strike out the other appropriations recommended by the Committee on Appropriations, and I see the Committee on Appropriations itself not standing to its own guns, out of petulance because that committee was defeated by the Committee of the Whole House on the state of the Union, why then I will endeavor to the best of my ability during the further consideration of this bill to show that two can play at that kind of a game.

I notice particularly how the members of the Committee on Appropriations voted in support of their own item. If there was a single one of them that voted the way he reported, I would be glad to have him rise. I did not notice one. Now, Mr. Chairman, it is exceedingly likely that these Subtreasuries may be unwise; they may ultimately require all to be abolished. I confess that I voted to sustain the Baltimore item. Probably I did it in a light-hearted way, without giving the matter sufficient thought, but I know that the Committee on Appropriations had good reason for withdrawing the support for Baltimore. I presume they had good reason for making fish of one Subtreasury and fowl of another. But there is no justification on earth for that committee not having the courage to back up their own report.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. GARDNER. I will yield to the gentleman.

Mr. BYRNS of Tennessee. The gentleman I know is aware that, owing to the fact that the Federal reserve bank has been located in the city of Boston, the clearing-house association has been abandoned.

Mr. GARDNER. No; I do not know that. I am not a Boston man.

Mr. BYRNS of Tennessee. I have understood from a source in which I have every reason to have faith that on account of the Federal reserve bank being located in Boston it is no longer necessary to have a clearing-house association, and that in addition to that the Federal reserve bank has actually taken over to itself many of the functions and duties formerly performed by the Subtreasury in Boston.

Mr. GARDNER. Then why did not the gentleman strike out the appropriation for Boston?

Mr. BYRNS of Tennessee. We did not receive that information until yesterday in the course of the hearings with reference to Baltimore. The hearings were conducted by the subcommittee yesterday on the Baltimore item after the bill had been reported to the House.

Mr. GARDNER. I do not know anything about the merits of the question, but I know that the committee does. But I know that you are making fish of one and fowl of another, because any man who can look at this bill with half an eye and who has listened to the debate knows that it is so.

Mr. GOOD. Will the gentleman yield?

Mr. GARDNER. Yes.

Mr. GOOD. The gentleman heard the speech of the gentleman from Pennsylvania?

Mr. GARDNER. Yes.

Mr. GOOD. Did he not hear an argument why every member of the Committee on Appropriations, and everybody else, should vote to strike out all of these items?

Mr. GARDNER. Yes.

Mr. GALLIVAN. Mr. Chairman, I move to strike out the last two words. I will tell my colleague from Massachusetts why this item was not considered by the Committee on Appropriations. I am a member of the Committee on Appropriations, and the proposer of the amendment here this afternoon did not dare to bring it up in that committee. I was present and I know.

Mr. SISSON. Mr. Chairman—

Mr. GALLIVAN. I decline to yield; I have the floor.

Mr. SISSON. I will be able to defend myself if the House will not.

Mr. GALLIVAN. Oh, the gentleman can not frighten me!

Mr. SISSON. I am not trying to frighten the gentleman; I am calling the gentleman to order.

Mr. GALLIVAN. Mr. Chairman, when this item was reported by the chairman of the subcommittee there was not a single suggestion of the action that was taken here this afternoon. I was there and heard the reason given for striking out Baltimore, and not one whisper was heard about this proposition which has been passed in the absence of my colleague from Boston [Mr. TAGUE] and myself. We have been all day long at a committee hearing before the Committee on the Post Office and Post Roads. We were at that hearing at the request of Boston's business men. The gentleman from Mississippi [Mr. Sisson] knew that we were there, because he saw us there this afternoon. I repeat that an unfair advantage has been taken of Boston and its Representatives in this Congress. The third Member from Boston, Mr. TINKHAM, is sick and can not be here. I do not know what the action of this committee will be about these other items, but I recall distinctly that the chairman of the subcommittee on this bill said to the full Committee on Appropriations that he had asked the Secretary of the Treasury for a report about these other Subtreasuries; that he was waiting to receive that report; and because he had not received the report the subcommittee decided to recommend the abolition of the Baltimore Subtreasury, simply and solely for the reason that Baltimore was but a few miles away from the Capital and that the work done by the Baltimore Subtreasury could well be done here in Washington. There was not a suggestion about this Boston proposition from any member of the subcommittee. The items for Boston and the other cities were unanimously approved, as I recall it, and I challenge any contradiction of my assertion. Why did not the gentleman offer his amendment in committee? My city is deeply interested in the attempt to discontinue the pneumatic-tube service as an adjunct to the postal system in Boston, and as a representative of the citizens of that city I am opposed to this abolition of the tubes. I have just come from the hearing before the Post Office Committee, where I have spent this entire day. Had I been advised that any such amendment as has been passed was to have been offered here I would certainly have been here and opposed such action. Why did the gentleman keep this thing to himself? I resent his action in the absence of my colleague [Mr. TAGUE] and myself, and I hope we will get a chance here to make a fight for Boston; but if we do not, thank God there is another body somewhere else that will give us half a show. [Applause.]

Mr. SISSON. Mr. Chairman, I was a member of the subcommittee. The subcommittee differed with me as to the course of procedure. I have always made it a rule to notify the committee if I differ with them on a matter. I did differ with them, with the very idea that I felt that all of those cities should be dealt with alike, and as I stated to the committee a moment ago, I felt that all of the Subtreasuries ought to be abolished; and feeling that way, I simply exercised my rights as a member of this Committee of the Whole to make that motion. It is not my purpose to take any advantage of anyone at any time. I have not done so, nor shall I wait when Members are not here. I did happen to know that one gentleman was a member of the Committee on the Post Office and Post Roads and happened to be there when he was on the committee. I did not know that the other gentleman was a member of that committee, nor have I thought it my duty to keep any lookout or watch upon him as

to his whereabouts, whether he is in the committee or not, because I presume that he does as most Members do, exercises his own choice about where he will or will not be. I made the motion also as to Chicago, and I am going to make the motion on down the line, as I stated, as to the others. If this committee shall sustain me in the motion which I make in respect to Chicago, then we will have an opportunity in the House to take a vote on Baltimore. If by using this method I am able to abolish the Subtreasuries which for two years preceding this your committee has had under consideration, then I shall congratulate myself.

Last year and the year before we had some considerable hearings, and those hearings are to be had if the Members of the House desire them to read. I am convinced that these Subtreasuries are performing no proper function. That would be especially true with reference to Boston, because they have a Federal reserve bank in the city of Boston. So has the city of Chicago; but the matter now pending is the city of Chicago, and I shall make a motion to strike out the Subtreasuries in each of these cities, because I see no good reason, and I do not believe a single member of the Appropriations Committee who has given attention to this matter sees any good reason why they should be retained. Certainly, no member of the subcommittee has been able to find a single reason, nor has a reason been given to us by the Treasury Department, why they should be retained, although we asked by law that the Treasury give us a reason why they should be retained, and we have gotten absolutely no reason.

Mr. PLATT. Mr. Chairman, I agree entirely with what the gentleman has said, that they ought all to be stricken out; but the gentleman has said several times with regard to Baltimore that there was no particular reason why that should be stricken out. As a matter of fact, the hearings show that Baltimore is the smallest Subtreasury of the bunch.

Mr. SISSON. That is true; but I am simply giving you my position and not the position of the committee.

Mr. PLATT. That is an additional reason.

Mr. SISSON. And so, Mr. Chairman, I ask for a vote.

Mr. TAGUE. Mr. Chairman, I have no desire to question the motives of any member of the committee in striking out this section as applied to Boston, or the intention of anyone in striking out any other section applying to any other city, but I do believe that the members of the Committee on Appropriations should give some good reason before voting as they have why it should be done. I take issue with the chairman of this subcommittee that the clearing house of Boston has been wiped out. I do not know where he gets his information, and if he has his information it is not the information that I get or that my colleagues from Boston get. I do know the duties performed by the subtreasury in the city of Boston, and I know it is performing those duties faithfully and well. Mr. Chairman, I have confidence in the justice and fairness of the Members of this House and feel that when a question of this importance is before this body and the membership from that city are attending to their duties in committee and not present to take issue on the question that we will be given an opportunity to express ourselves, in order that we may tell this Congress what the people of our section of the country want.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. GORDON. While the gentleman is on his feet will he just give us one reason why we should reverse the vote striking out Boston?

Mr. TAGUE. Mr. Chairman, I did not hear the debate or any of the reasons advanced for the striking out of Boston. It has been in existence for years.

Mr. GORDON. But they have no use or function to perform.

Mr. MOORE of Pennsylvania. Is it not a good reason that the committee has just voted Baltimore in?

Mr. GARDNER. After the fullest discussion for hours.

Mr. TAGUE. Mr. Chairman, I think the most important reason why it should be left in is that your Committee on Appropriations has already reported the item, and it is only when a member of the subcommittee comes in here and tells the committee in a few moments that he has some information which the other members of his committee did not possess that it has been stricken out.

Mr. GARDNER. Will the gentleman yield?

Mr. TAGUE. I will.

Mr. GARDNER. Is it not true that the Secretary of the Treasury in his estimates put in this very item for Boston, and is it not also true that he had not given any indication of sending in supplemental estimates withdrawing that?

Mr. TAGUE. Mr. Chairman, I am not aware that the Secretary of the Treasury made any recommendation for the abolishment of this institution, and I have enough confidence in him to think that he would recommend it if it were necessary.

Mr. GARDNER. He has recommended it in his estimates; he deliberately recommended this item.

Mr. TAGUE. He has already recommended the appropriation, and nothing, so far as I know, has been brought into this House to warrant the membership in acting as it has. I know, Mr. Chairman, as I said before, that the justice of the Members of this House will be submitted when this matter is brought before the House, and I am confident that they will override, as they do on almost every occasion, an action such as has been taken here to-day by the gentleman who has opposed the item.

Mr. GARDNER. Mr. Chairman, I have a perfecting amendment. The motion is to strike out, and I wish to perfect the item before it is stricken out. I move, page 57, line 11, to strike out "\$5,000" and insert "\$4,975."

Now, Mr. Chairman, I have no desire to reduce the salary of the assistant treasurer at Chicago. I offer an amendment in that form solely for the purpose of keeping myself out of the vortex of order. I think there is only one successful way of settling this question and that is to reconsider the action taken on the Boston Subtreasury and put over until to-morrow the debate on all these Subtreasury appropriations which the Committee on Appropriations provides for. The Committee on Appropriations has recommended that Boston, Chicago, Cincinnati, New Orleans, New York, Philadelphia, St. Louis, and San Francisco retain their Subtreasuries. The Committee on Appropriations has recommended that Baltimore lose its Subtreasury. After a long debate in a very full Committee of the Whole House on the state of the Union—if I recollect rightly there were about 130 Members voting—it was the deliberate judgment of the committee by a narrow margin that Baltimore should retain its Subtreasury. After that vote was taken the membership of the committee disbursed. Without any notice, and contrary to the report of his own committee, the gentleman from Mississippi [Mr. Sisson] made the motion to strike out the appropriation for the Subtreasury at Boston. None of the Boston Members were prepared to discuss that question at that time. One of them was sick, two others were at that moment absent from the floor on committee business. They are here now as I am speaking, but neither they nor anyone else has had an opportunity as yet to prepare their case. I submit to the gentleman from Mississippi, if I have his attention, that it is clearly unjust at this late hour to treat Boston differently from Chicago or Cincinnati or any of these other Subtreasuries.

Mr. Sisson. It was about an hour ago when we brought this Boston matter up.

Mr. GARDNER. I quite understand. I submit that it is not fair under the circumstances, if I can have the attention of the gentleman. Anyway, I submit that it would be much fairer if the gentleman would agree to reconsider the vote by which the Boston Subtreasury was abolished and put the whole matter over until to-morrow, to give the Members from Massachusetts a chance to prepare their case.

Mr. Sisson. I will state to the gentleman, does the gentleman recall he made a request to me for unanimous consent?

Mr. GARDNER. Yes.

Mr. Sisson. I very promptly said, so far as I was concerned, if it was satisfactory to the other gentlemen it was satisfactory to me. It was not so satisfactory, and the committee has acted, and we now have under consideration the question of Chicago.

Mr. GARDNER. That is all true. The gentleman was perfectly courteous and perfectly ready to put the whole matter over until to-morrow. There was a general feeling throughout the Committee of the Whole House on the state of the Union that inasmuch as the Committee on Appropriations had deliberately put the Boston item in the bill, that at least one of them would stand back of his own committee's action. Unfortunately that did not prove to be the case.

Mr. Sisson. I will say to the gentleman that if these other cities are treated differently from Boston and Boston should be the only one singled out, I should not hesitate one moment to ask that the Boston matter go back, but in this way I will get what I have wanted for two years, if the committee will agree with me, and, of course, when we get in the House, on the roll call we will treat Baltimore like we do the others.

Mr. GARDNER. The gentleman will remember that Baltimore is a southern city and Democracy has control of this House.

Mr. Sisson. I do not think the gentleman will say that the chairman of the committee is a southern man. But he is a Democrat, and so am I.

Mr. GARDNER. The southern control of the House is Democratic, and the significance of putting back Baltimore and striking out Boston, in defiance of your committee's action, is very significant, sir.

Mr. Sisson. I do not think that. I do not think that cuts one particle of ice with me, because I wanted to abolish all of them to start with.

Mr. GARDNER. Yes; I think the gentleman did.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that debate on this paragraph and all amendments thereto now close.

Mr. GALLAGHER. I object. I would like to have a couple of minutes.

Mr. BYRNS of Tennessee. Mr. Chairman, then I move that all debate on this paragraph and all amendments thereto close in two minutes.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on this paragraph and all amendments thereto close in two minutes.

The motion was agreed to.

Mr. LINTHICUM. Mr. Chairman, I move that we adjourn.

The CHAIRMAN. The gentleman from Illinois [Mr. GALLAGHER] is recognized.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Illinois [Mr. GALLAGHER] has been recognized. The Chair will say to the gentleman from Pennsylvania [Mr. Moore] that he would not entertain the point of order at this time. The gentleman from Illinois will proceed.

Mr. GALLAGHER. Mr. Chairman, I respectfully ask the chairman—

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order. The point of order takes precedence of the recognition of the gentleman.

The CHAIRMAN. What was the point of order?

Mr. MOORE of Pennsylvania. The point of order was that there was no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] There are 105 Members present—a quorum.

Mr. GALLAGHER. Mr. Chairman, I simply want the attention of the committee for a moment or two. This is a matter that pertains to Chicago, and it is something we have not had a chance to think about, and I would like to know if we can not let it go over until to-morrow before the vote is taken? [Cries of "No, no!"] Let us see. It may be all right to abolish these Subtreasuries. If the regional banks will take their place, as some people think they will, we may not need Subtreasuries, but we ought to have a chance to look into it for the purpose of ascertaining whether it is necessary to retain them or not, and for that reason I think it would be good judgment to let this matter go over until to-morrow. It is not alone Chicago, but the other cities which have these Subtreasuries, and for that reason, if it is agreeable to the committee, I think it would be good judgment to let the matter go over until we ascertain whether the Subtreasuries are really necessary or not. That is what I want. I would like to know if that can not be done?

Mr. CANNON. Why does not the gentleman move that the committee rise?

Mr. TAGUE. Mr. Chairman, I move that the committee do now rise.

Mr. GALLAGHER. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentlemen move that the committee rise.

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. TAGUE. Division, Mr. Chairman.

The committee divided; and there were—ayes 44, yeas 45.

Mr. GARDNER. Mr. Chairman, I make the point of order that there is no quorum present.

Mr. STAFFORD. That is dilatory. The Chair has just counted and found a quorum present.

The CHAIRMAN. The Chair stated that he found a quorum present only a minute before. On this vote the yeas are 44 and the yeas are 45, and the committee refuses to rise.

Mr. MOORE of Pennsylvania. Mr. Chairman, I demand tellers on that vote.

Tellers were ordered, and Mr. GALLAGHER and Mr. BYRNS of Tennessee took their places as tellers.

The committee again divided; and the tellers reported—ayes 42, yeas 58.

So the committee refused to rise.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. GARDNER].

The question was taken, and the amendment was rejected.

Mr. GARDNER. Mr. Chairman, I offer an amendment. In line 11, page 59, strike out the figures "\$5,000" and insert "\$4,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chairman announced that the noes seemed to have it.

Mr. GARDNER. I ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 13, noes 48.

Mr. GARDNER. Tellers!

The CHAIRMAN. Tellers are demanded. Those in favor of taking the vote by tellers will rise and be counted. [After counting.] Not a sufficient number. Tellers are refused.

So the amendment was rejected.

Mr. GARDNER. Mr. Chairman, I move an amendment on page 59, line 11, to strike out "\$3,000" and insert "\$2,500."

Mr. MANN. Mr. Chairman, I make a point of order and ask that the gentleman reduce his amendment to writing in accordance with the rules of the House. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. Sisson].

Mr. GARDNER. Mr. Chairman, I must have reasonable time in which to reduce my amendment to writing. Will the Chair hear me on the point of order? It has been decided over and over again that when that claim is made an opportunity must be given to the mover of the amendment to reduce it to writing.

Mr. MANN. A reasonable time for a reasonable amendment. [Laughter.]

Mr. GARDNER. Oh, no. That is all right.

Mr. LINTHICUM. Mr. Chairman, I make the point that there is no quorum present.

The CHAIRMAN. The count disclosed the presence of a quorum just a moment ago. The Clerk will report the amendment offered by the gentleman from Massachusetts [Mr. GARDNER].

The Clerk read as follows:

Amendment offered by Mr. GARDNER: Page 59, line 11, strike out "\$3,000" and insert "\$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. GARDNER. I ask for a division, Mr. Chairman. I think the amendment was carried.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 21, noes 28.

Mr. MOORE of Pennsylvania. On that, Mr. Chairman, I demand tellers.

The CHAIRMAN. Tellers are demanded. Those in favor of taking this vote by tellers will rise and be counted. [After counting.] Seventeen gentlemen have arisen—not a sufficient number.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 59, line 20, after the word "all," strike out "\$71,420" and insert "\$71,000."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 17, noes 28.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point that there is no quorum present. This vote discloses the fact that there is no quorum present.

The CHAIRMAN. The point of no quorum is overruled. The count has just disclosed the presence of a quorum.

So the amendment was rejected.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi [Mr. Sisson].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. GARDNER. I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 70, noes 21.

So the amendment was agreed to.

Mr. GARDNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARDNER. At what point is it permissible to make the point of no quorum if the Chair continually rules that he has just counted one if the vote itself discloses that there is no quorum present?

The CHAIRMAN. The Chair did not understand the gentleman to make a point of order that the vote disclosed that there was not a quorum present.

Mr. MOORE of Pennsylvania. I distinctly made that statement, that the vote had disclosed that there was no quorum present.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Cincinnati, office of assistant treasurer: Assistant treasurer, \$4,500; cashier, \$2,250; paying teller, \$2,000; receiving teller, \$1,800; vault clerk, \$1,600; clerks—2 at \$1,300 each, 4 at \$1,200 each, 2 at \$1,000 each; clerk and stenographer, \$1,000; chief watchman, \$840; 2 watchmen, at \$720 each; in all, \$24,830.

Mr. Sisson. Mr. Chairman, I move to strike out the paragraph.

Mr. MOORE of Pennsylvania. I wish to oppose the motion.

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that he promised to recognize the gentleman from Ohio [Mr. ALLEN].

Mr. MOORE of Pennsylvania. To oppose the motion?

Mr. ALLEN. Yes.

Mr. MOORE of Pennsylvania. I yield to the gentleman from Ohio.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio.

Mr. BYRNS of Tennessee. If the gentleman from Ohio will yield to me, I will move that the committee do now rise.

Mr. ALLEN. All right.

Mr. BYRNS of Tennessee. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARRISON of Mississippi, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 18542) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DALE of New York, until further notice, on account of sickness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Friday, December 15, 1916, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, submitting an item of legislation authorizing the transfer of all American citizens legally adjudged insane in the Canal Zone whose legal State or Territory residence can not be established to St. Elizabeth's Hospital, Washington, D. C. (H. Doc. No. 1741); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

2. A letter from the Acting Secretary of War, transmitting a report of the annual inspection of the several branches of the National Home for Disabled Volunteer Soldiers (H. Doc. No. 1742); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of Commerce, transmitting a summary of reports transmitted by collectors of customs and a brief statement of the action of the department in respect of accidents sustained or caused by barges while in tow through the open sea, from November 4, 1915, the date when the act took effect, to the end of the fiscal year, June 30, 1916 (H. Doc. No. 1743); to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

4. A letter from the Commissioner of the Freedman's Savings & Trust Co., transmitting annual report of the commissioner (ex officio) of the Freedman's Savings & Trust Co. for the year ended December 1, 1916 (H. Doc. No. 1744); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the Secretary of Commerce, transmitting communication from the Commissioner of Lighthouses on the

subject of the pay of junior clerks in the Lighthouse Inspection Service (H. Doc. No. 1745); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Acting Secretary of the Treasury, transmitting estimate of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1918 (H. Doc. No. 1746); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of War, submitting supplemental estimates required by the Quartermaster Corps of the Army for the service of the fiscal year 1918 (H. Doc. No. 1747); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Director of the Bureau of Engraving and Printing containing urgent estimates of deficiencies in appropriations for the remainder of the current fiscal year (H. Doc. No. 1748); to the Committee on Appropriations and ordered to be printed.

9. A letter from the Acting Secretary of the Treasury, transmitting an estimate of deficiency appropriation for the purchase, exchange, maintenance, and repair of motor trucks, Treasury Department, for the service of the fiscal year 1917 (H. Doc. No. 1749); to the Committee on Appropriations and ordered to be printed.

10. A letter from the Secretary of Commerce, transmitting communication from the Commissioner of Fisheries, with a copy of a letter from Aliston G. Adams, apprentice fish culturist at the Boothbay Harbor (Me.) station of the Bureau of Fisheries (H. Doc. No. 1750); to the Committee on Appropriations and ordered to be printed.

11. A letter from the Secretary of War, transmitting statements submitted by the Chief of Ordnance, United States Army, of the cost of all type and experimental manufacture of guns and other articles, and the average cost of the several classes of guns and other articles manufactured by the Government at the several arsenals (except Springfield Armory) during the fiscal year ended June 30, 1916 (H. Doc. No. 1751); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Chief of Ordnance, United States Army, transmitting report of the commission on equipping United States penitentiaries for manufacturing articles used by the Government (H. Doc. No. 1752); to the Committee on Appropriations and ordered to be printed, with illustrations.

13. A letter from the Secretary of the Interior, transmitting report of titles to property acquired, receipts from rental extension of Capitol Grounds, August 1, 1915, to December 31, 1916 (S. Doc. No. 638); to the Committee on Public Buildings and Grounds and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 8460) granting an increase of pension to Myron S. Pease, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RAKER: A bill (H. R. 18891) to amend an act entitled "An act to parole United States prisoners, and for other purposes," approved June 10, 1910, as amended by an act approved January 23, 1913; to the Committee on the Judiciary.

Also, a bill (H. R. 18892) for the establishment of a probation system in the United States courts, and for other purposes; to the Committee on the Judiciary.

By Mr. MOORE of Pennsylvania: A bill (H. R. 18893) to continue in the public service persons who have served as President of the United States; to the Committee on the Judiciary.

By Mr. CASEY: A bill (H. R. 18894) to amend the public-building act approved March 4, 1913, authorizing the acquisition of a suitable site for a public building at Pittston, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. VANDYKE: A bill (H. R. 18895) to reclassify the grades and fix the salaries of railway postal clerks; to the Committee on the Post Office and Post Roads.

By Mr. HICKS: A bill (H. R. 18896) providing for the survey of an inland water route along the southern shore of Long Island, N. Y., from Jamaica Bay to Peconic Bay; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 18897) providing for a survey of Sterling Basin, Greenport, in the State of New York; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 18898) to appropriate \$22,500 for the improvement of Sterling Basin, at Greenport, State of New York, and the approach thereto; to the Committee on Rivers and Harbors.

By Mr. McKINLEY: A bill (H. R. 18899) authorizing allowances to postal rural-delivery carriers for the maintenance of motor vehicles, and for feed and supplies for horses, and making an appropriation therefor; to the Committee on the Post Office and Post Roads.

By Mr. AIKEN: A bill (H. R. 18900) to provide for the construction of a public building at Anderson, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. DILL: A bill (H. R. 18901) to authorize officers of the National Guard called into the service of the United States for duty on the Mexican border June 18, 1916, or subsequently, who were under 36 years of age at the time of said call to take the examination for provisional second lieutenants in the Regular Army under certain conditions; to the Committee on Military Affairs.

By Mr. McKINLEY: A bill (H. R. 18902) to provide for the retirement of carriers in the Postal Rural Delivery Service, and creating a special fund for their benefit in lieu of 15 days' additional leave of absence with pay; to the Committee on Reform in the Civil Service.

By Mr. McFADDEN: A bill (H. R. 18903) to amend the act approved December 23, 1913, known as the Federal reserve act; to the Committee on Banking and Currency.

By Mr. COOPER of Wisconsin: A bill (H. R. 18904) authorizing and directing the Secretary of War, in his discretion, to deliver to the Alumni Association of Milton College, Milton, Wis., two condemned-bronze or brass cannon; to the Committee on Military Affairs.

By Mr. HAMILL: A bill (H. R. 18905) to provide an extension to the post office at Jersey City, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. STERLING: A bill (H. R. 18906) to amend an act entitled "An act providing for mediation, conciliation, and arbitration in controversies between certain employers and their employees"; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: A bill (H. R. 18907) to provide for the establishment of a municipal bakery, and for the supplying of information in respect to the cost of baking and distributing bread; to the Committee on the District of Columbia.

Also, a bill (H. R. 18908) to provide for the installation of an experimental flour mill and chemical and baking laboratories to aid the Secretary of Agriculture in establishing standards of quality and condition of wheat, barley, and other grains; to the Committee on Agriculture.

By Mr. KAHN: A bill (H. R. 18909) for the erection and equipment of a general hospital on or near the shores of Bristol Bay, Alaska, and for other purposes; to the Committee on the Territories.

By Mr. HUDDLESTON: A bill (H. R. 18910) authorizing the Secretary of War to acquire lands for Government use near Lock 17 on the Black Warrior River in Jefferson County, Ala.; to the Committee on Rivers and Harbors.

By Mr. BARNHART (by request): A bill (H. R. 18911) to amend an act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. FESS: A bill (H. R. 18912) authorizing the Secretary of War to donate condemned cannon and cannon balls to the village of Bloomingburg, Ohio; to the Committee on Military Affairs.

By Mr. CANDLER of Mississippi: A bill (H. R. 18913) to enlarge, extend, make additions to, and further improve the United States courthouse and post-office building at Aberdeen, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. ASWELL: A bill (H. R. 18914) to change the name of oleomargarine to "margarine"; to change the rate of tax on margarine; to protect consumers, dealers, and manufacturers of margarine against fraud; and to afford the Internal-Revenue Bureau means for the more efficient detection of fraud and for the collection of revenues; to the Committee on Agriculture.

By Mr. STEPHENS of Texas: A bill (H. R. 18915) to create a new division of the northern judicial district of Texas, and to provide for terms of court at Wichita Falls, Tex., and for a clerk for said court, and for other purposes; to the Committee on the Judiciary.

By Mr. HELM: A bill (H. R. 18916) providing for the registry of officers, clerks, and employees in the Federal service, and for other purposes; to the Committee on the Census.

Also, a bill (H. R. 18917) to repeal an act approved June 7, 1906, entitled "An act to amend section 7 of an act entitled 'An act to provide for a permanent census office,' approved March 6, 1902"; to the Committee on the Census.

By Mr. CRAMTON: A bill (H. R. 18918) for continuing the improvement of the Harbor of Refuge at Harbor Beach, Mich.; to the Committee on Rivers and Harbors.

By Mr. RODENBERG: Resolution (H. Res. 405) authorizing the appointment of a committee to investigate the shipment of munitions of war from the United States to the countries of Europe now engaged in war; to the Committee on Rules.

By Mr. FITZGERALD: Resolution (H. Res. 406) to provide for a vote upon certain amendments to the legislative, executive, and judicial bill; to the Committee on Rules.

By Mr. SABATH: Joint resolution (H. J. Res. 319) authorizing the Secretary of Commerce to investigate the cause or causes of the advances in the price of cotton goods; to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER: Joint resolution (H. J. Res. 320) protesting against mediation by the United States in the European war; to the Committee on Foreign Affairs.

By Mr. BUCHANAN of Illinois: Concurrent resolution (H. Con. Res. 66) authorizing the payment of mileage to officers and employees of the Senate and House of Representatives; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 18919) granting a pension to William Hopkins; to the Committee on Pensions.

By Mr. BARNHART: A bill (H. R. 18920) granting an increase of pension to William S. Weaver; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18921) granting an increase of pension to Johnson Berry; to the Committee on Invalid Pensions.

By Mr. BENNET: A bill (H. R. 18922) granting a pension to Edward Maher; to the Committee on Pensions.

By Mr. BOOHER: A bill (H. R. 18923) granting a pension to Jennie Furman; to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 18924) granting an increase of pension to J. E. Stafford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18925) granting an increase of pension to George W. Sherrard; to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 18926) granting an increase of pension to Charles Rattray; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 18927) granting an increase of pension to Isaac Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18928) granting an increase of pension to Andrew Hart; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 18929) granting an increase of pension to Joshua Blakely; to the Committee on Invalid Pensions.

By Mr. CRISP: A bill (H. R. 18930) granting a pension to Baxter Hogan; to the Committee on Pensions.

By Mr. DILL: A bill (H. R. 18931) granting an increase of pension to Mrs. Lucinda J. Jay, wife of the late William A. Jay; to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 18932) granting an increase of pension to Jefferson Stanley; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 18933) granting an increase of pension to William H. Epley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18934) granting an increase of pension to William H. Byrd; to the Committee on Invalid Pensions.

By Mr. GARD: A bill (H. R. 18935) granting an increase of pension to Joseph N. Abbott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18936) granting a pension to Sarah Ellen Canton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18937) granting an increase of pension to James Mossey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18938) granting a pension to Claude M. Harding; to the Committee on Pensions.

By Mr. GREEN of Iowa: A bill (H. R. 18939) granting an increase of pension to Willard L. Anthony; to the Committee on Pensions.

Also, a bill (H. R. 18940) granting a pension to Belle Harbert; to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 18941) granting a pension to Lydia Elliott; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 18942) granting an increase of pension to George R. Peacock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18943) granting an increase of pension to George Kint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18944) granting a pension to Emma Eppens; to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 18945) granting an increase of pension to Cordelia E. Russell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18946) granting a pension to Ferdinand T. Bray; to the Committee on Invalid Pensions.

By Mr. HERNANDEZ: A bill (H. R. 18947) for the relief of J. L. Campbell and others; to the Committee on Claims.

By Mr. HOWARD: A bill (H. R. 18948) granting a pension to Dick Parker; to the Committee on Pensions.

Also, a bill (H. R. 18949) granting a pension to Charles F. Russell; to the Committee on Pensions.

Also, a bill (H. R. 18950) for the relief of J. P. Jackson; to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 18951) granting an increase of pension to Harrison McOwen; to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 18952) granting an increase of pension to Albert M. Young; to the Committee on Invalid Pensions.

By Mr. MCCLINTIC: A bill (H. R. 18953) for the relief of estate of Alexander Gardner; to the Committee on War Claims.

By Mr. NORTH: A bill (H. R. 18954) granting a medal of honor to John Sampson; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 18955) granting an increase of pension to Elizabeth A. Main; to the Committee on Invalid Pensions.

By Mr. POWERS: A bill (H. R. 18956) granting an increase of pension to Tivis C. Simmons; to the Committee on Invalid Pensions.

By Mr. RAYBURN: A bill (H. R. 18957) for the relief of the legal representatives of Mrs. S. M. Smith; to the Committee on War Claims.

By Mr. REAVIS: A bill (H. R. 18958) granting an increase of pension to Andrew N. Coffey; to the Committee on Invalid Pensions.

By Mr. ROWLAND: A bill (H. R. 18959) granting an increase of pension to Josephus Brown; to the Committee on Invalid Pensions.

By Mr. RUSSELL of Missouri: A bill (H. R. 18960) granting an increase of pension to Jacob Schaffer; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 18961) granting an increase of pension to Eveline Jenkins; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 18962) granting an increase of pension to George Daniels; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 18963) granting an increase of pension to George H. Richardson; to the Committee on Invalid Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 18964) granting a pension to Wallace A. Kennedy; to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 18965) granting an increase of pension to Daniel Libbey; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 18966) granting an increase of pension to John W. Marks; to the Committee on Invalid Pensions.

By Mr. SWEET: A bill (H. R. 18967) granting an increase of pension to George L. Davis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18968) granting an increase of pension to Josiah W. Lamb; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 18969) granting an increase of pension to William Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18970) granting an increase of pension to John Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 18971) granting an increase of pension to John Bandy; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 18972) granting an increase of pension to Margaret Dickson; to the Committee on Invalid Pensions.

By Mr. TAVENNER (by request): A bill (H. R. 18973) authorizing the Secretary of the Interior to enroll Zerelda Belle Cook and Charles H. Richter as Cherokee Indians; to the Committee on Indian Affairs.

By Mr. WASON: A bill (H. R. 18974) granting a pension to Laura A. Rice; to the Committee on Invalid Pensions.

By Mr. THOMAS S. WILLIAMS: A bill (H. R. 18975) granting an increase of pension to Nicholas Easton; to the Committee on Invalid Pensions.

By Mr. WINSLOW: A bill (H. R. 18976) granting an increase of pension to Samuel E. Alden; to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 18977) granting an increase of pension to George W. Wright; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry postal employees, for increase in salary; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Memorial of Ladies' Bible Class of the Woman's Christian Temperance Union of Pataskala, Ohio, favoring national prohibition; to the Committee on the Judiciary.

Also, evidence to accompany House bill 14392, for relief of Phoebe Keiser; to the Committee on Invalid Pensions.

By Mr. BARCHFELD: Petition of East Pittsburgh and Sheridanville and Mount Oliver Stations, Pittsburgh post-office employees, for increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of Patriotic Order, Sons of America, of Bridgeville, Pa., in favor of a bill to prevent the manipulations of the prices of foodstuffs and the placing of an embargo on foreign shipments where the selling price of such article becomes high and unreasonable; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pittsburgh Provision & Packing Co., Shipley-Warsingham Wholesale Drug Co., and Bixlu Coal & Coke Co., of Pittsburgh, Pa., favoring 1-cent postage for local letters; to the Committee on the Post Office and Post Roads.

By Mr. BEAKES: Petition of rural carriers of Adrian, Mich., asking for an increase of pay; to the Committee on the Post Office and Post Roads.

By Mr. CARY: Petition of Milwaukee (Wis.) Post Office Clerks' Union, No. 3, urging passage of House bill 17805; to the Committee on the Post Office and Post Roads.

By Mr. CHIPERFIELD: Petition of citizens of Chicago, Ill., relative to postal savings banks; to the Committee on the Post Office and Post Roads.

By Mr. COOPER of Ohio: Petition of postal employees of Ashtabula and Niles, Ohio, favoring increase of pay; to the Committee on the Post Office and Post Roads.

By Mr. CRISP: Petition of A. A. Harvey, Jr., and other post-office employees, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. DARROW: Petition of Nurses' Alumnae Association of Jefferson Hospital, Philadelphia, Pa., to incorporate American Nurses' Association; to the Committee on the District of Columbia.

Also, memorial of postal-affairs committee of the Philadelphia Chamber of Commerce, urging continuance of the pneumatic-tube service in Philadelphia, Pa.; to the Committee on the Post Office and Post Roads.

Also, memorial of Philadelphia Local Union, No. 89, National Federation of Post Office Clerks, favoring House bill 17805, relative to higher classification for postal workers; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of E. B. Wolcott Post, No. 1, Department of Wisconsin, Grand Army of the Republic, favoring appointment of Gov. Edward Scofield as a member of National Board of Managers for Home of Disabled Volunteers; to the Committee on Military Affairs.

Also, petition of post-office employees, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. ELSTON: Petition of postal employees of Oakland, Cal., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Petition of citizens of Mifflinburg, Pa., relative to high cost of living; to the Committee on Interstate and Foreign Commerce.

Also, evidence in support of House bill 9952, for the relief of A. L. Burket; to the Committee on Invalid Pensions.

By Mr. FOSS: Petition of post-office employees of Waukegan, Ill., for increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of City Council of Chicago, Ill., relative to amending postal savings-bank act; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of John A. Gauger, of Chicago, Ill., for increased efficiency in Chicago, Ill., mail service; to the Committee on the Post Office and Post Roads.

Also, petition of Herman H. Hettler Lumber Co., of Chicago, Ill., against abandonment of the pneumatic-tube mail service of Chicago, Ill.; to the Committee on the Post Office and Post Roads.

Also, petition of Peoria (Ill.) Stone & Marble Works, for 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, petition of post-office employees of Peru, Ill., for increase of pay; to the Committee on the Post Office and Post Roads.

Also, petition of 47 citizens of Rockford, Ill., against Sunday observance bill for the District of Columbia; to the Committee on the District of Columbia.

Also, petition of Stewart Warner Speedometer Co., for passage of House bill 14666, relative to designs; to the Committee on Patents.

Also, petition of General John Stark Chapter, Daughters of the American Revolution, for national prohibition; to the Committee on the Judiciary.

By Mr. GARDNER: Petition of Rockport (Mass.) post-office employees, asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. GOODWIN of Arkansas: Petition of postal clerks at Camden, Hope, and Arkadelphia, Ark., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. GREEN of Iowa: Petition of certain railway post-office clerks and other clerks and employees of the Post Office Department, asking for an increase in their salaries; to the Committee on the Post Office and Post Roads.

By Mr. HADLEY: Memorial of sundry churches and organizations of the State of Washington, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMILTON of New York: Papers to accompany House bill 18604, granting an increase of pension to Eaton Kierney; to the Committee on Invalid Pensions.

By Mr. HOPWOOD: Petition of post-office employees of Uniontown, Pa., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. JAMES: Petition of postal employees for increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of post-office employees of State of Michigan, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Memorial of San Francisco (Cal.) Chamber of Commerce, relative to establishment of an aviation school in the State of California; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Memorial of Providence, R. I., and Boston, Mass., railway-mail clerks asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. KONOP: Petition of post-office employees of Antigo, Wis., for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. KIESS of Pennsylvania: Petition of postal employees of Williamsport, Pa., asking for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. LAFEAN: Memorial of post-office employees, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. LEHLBACH: Petition of post-office employees, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. MATTHEWS: Petition of 30 citizens of Tedrow, Ohio, favoring national prohibition; to the Committee on the Judiciary.

By Mr. MCGILLICUDDY: Petition of postal employees of Runford, Me., for increase in pay; to the Committee on the Post Office and Post Roads.

Also, petitions of Knox Pomona Grange and Woman's Christian Temperance Union of Leeds, Me., favoring national prohibition; to the Committee on the Judiciary.

By Mr. NOLAN: Petitions of employees of the Federal buildings at New Brighton and Beaver Falls, Pa., urging passage of Nolan bill; to the Committee on Labor.

By Mr. NORTH: Petition of 23 citizens of Helen Furnace, Clarion County, Pa., praying for the passage of the national constitutional prohibition amendment; to the Committee on the Judiciary.

By Mr. OLNEY: Petition of postal employees of Massachusetts, asking increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. RAKER: Memorial of Sacramento (Cal.) branch of the Railway Mail Association, favoring adequate plan of civil-service retirement; to the Committee on Reform in the Civil Service.

By Mr. RAINEY: Petition of Bible School, 4,317 people, of First Christian Church, of Decatur, and County Woman's Christian Temperance Union, 100 people, of Decatur, favoring national prohibition; to the Committee on the Judiciary.

By Mr. ROWLAND: Petition of 40 people of East Smethport, Pa., for national prohibition; to the Committee on the Judiciary.

Also, memorials of Local Union No. 3080, United Mine Workers of America, of Hyde; Local Union No. 2484, United Mine Workers of America, of Easton; and Local Union No. 1134, United Mine Workers of America, of Grass Flat, all in the State of Pennsylvania, favoring embargo on certain foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, petition of post-office employees of Pennsylvania, relative to increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of citizens of Bellefonte, Pa., favoring national prohibition; to the Committee on the Judiciary.

By Mr. RUSSELL of Ohio: Petition of J. W. Robbins and other post-office employees, of Troy, Ohio, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: Petition of sundry postal employees asking for increase in their salaries; to the Committee on the Post Office and Post Roads.

By Mr. SLOAN: Petition of Joseph R. Peters and nine other post-office employees for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Idaho: Papers to accompany House bill granting an increase of pension to George H. Richardson; to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: Petition of 200 people of Loraine, Tex., for national prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Petition of employees of the Post Office Department at Saranac Lake, N. Y., urging that the salaries of all postal employees be increased during the present session of Congress; to the Committee on Appropriations.

Also, petition of employees of the Post Office Department at Plattsburg, N. Y., urging that all employees of the Postal Service be given an increase of salary during the present session of Congress; to the Committee on Appropriations.

By Mr. STEELE of Iowa: Petitions of city and rural mail carriers and railway post office clerks of Lemars, Storm Lake, and Spencer, all in the State of Iowa, asking for an increase in their salaries proportionate to the increase in the cost of living; to the Committee on the Post Office and Post Roads.

By Mr. STEPHENS of Texas: Petition of F. McHarm and other mail-route clerks asking that Congress grant them an increase in pay; to the Committee on the Post Office and Post Roads.

Also, petition of Federal Employees' Union of Texas, requesting an increased salary as provided in the Nolan bill, House bill 11876; to the Committee on Labor.

By Mr. SWEET: Petitions of employees of post offices in Hampton, Waterloo, Iowa Falls, and Waverly, all in the State of Iowa, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. VARE: Petition of several Government employees in the city of Philadelphia, in favor of the Nolan bill; to the Committee on Labor.

Also, memorial of Western Pennsylvania Typographical Unions, relative to shortage in white paper; to the Committee on Rules.

By Mr. WARD: Petition of post-office employees of Kingston, N. Y., asking an increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. WASON: Petition of C. I. Woodbury and nine other postal employees residing at Nashua, N. H., favoring an increase of salary for postal employees; to the Committee on the Post Office and Post Roads.

Also, petition of H. H. Kew and six other postal employees at Hanover, N. H., favoring an increase in salary for postal employees; to the Committee on the Post Office and Post Roads.

By Mr. WINSLOW: Petition of citizens of Worcester, Mass., relative to eight-hour law for maintenance-of-way employees of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, December 15, 1916.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee at the beginning of this legislative day to know Thy will. We are being brought face to face every day with great issues which affect the moral and physical welfare of millions of our fellow men. The limitations of our knowledge and experience lead us back to the Source of all knowledge and of all wisdom. We come to Thee lifting up our hearts that we may know God's will. We seek to give expression to the highest achievements of the intellect and of the spirit of man in our national life. We pray that in our endeavor we may have the guidance of the spirit of God and of Thy truth. We ask these things for Jesus' sake. Amen.

The Journal of the proceedings of the legislative day of Wednesday, December 13, 1916, was read and approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Presbytery of Washington City, which will be printed in the RECORD.

The communication was ordered to lie on the table and to be printed in the RECORD, as follows:

THE PRESBYTERY OF WASHINGTON CITY,
OFFICE OF THE STATED CLERK,
Takoma Park, D. C., December 14, 1916.

To the Hon. THOMAS R. MARSHALL,
President of the Senate of the United States of America.

DEAR MR. VICE PRESIDENT: The Presbytery of Washington City, in session in the city of Washington December 11, 1916, adopted the following resolution, which is hereby submitted for official notice.

Respectfully, yours,

THOMAS C. CLARK,
Stated Clerk.

Action of the Presbytery of Washington City in session in the city of Washington, D. C., December 11, 1916, to wit:

"The Presbytery of Washington City hereby records itself in favor of the passage of the Webb-Sheppard bill now pending before the Senate without the referendum proposed by Senator UNDERWOOD."

Attest:

THOMAS C. CLARK,
Stated Clerk, Presbytery of Washington City.

Mr. NORRIS presented a memorial adopted by the Seventh-day Adventist Conference, held at Hastings, Nebr., remonstrating against the enactment of legislation for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. ROBINSON presented a petition of sundry citizens of Little Rock, Ark., praying for an increase in the salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a memorial of the General Association of Baptist Churches at Sheridan, Ark., remonstrating against the action of the military authorities on the Mexican border in regard to evangelical work among the soldiers, which was referred to the Committee on Military Affairs.

He also presented sundry papers to accompany the bill (S. 7289) granting an increase of pension to Frank Burrow, which were referred to the Committee on Pensions.

Mr. McCUMBER. I present a petition of postal clerks and other employees in the post office at Fargo, N. Dak., asking for a raise in their wages. I ask that it may be properly referred after reading just the petition part. I do not know to what particular committee it ought to go, but I suppose to the Committee on Post Offices and Post Roads.

There being no objection, the petition was read and referred to the Committee on Post Offices and Post Roads, as follows:

To the Members of the Sixty-fourth Congress, Washington, D. C.:

In view of the greatly increased cost of living within the past year, and also in view of the fact that practically all private corporations have assisted their employees in bearing this additional burden placed upon them by a substantial increase in their pay—

We, the railway mail clerks, post-office clerks, letter carriers, and rural-delivery carriers of the United States, feel that we should have some relief from this burden, therefore petition your honorable body to grant us such an increase in pay as will in some manner help us in this emergency.

We ask that you give this petition your earnest and careful consideration, and trust to your sense of fairness and right to deal justly by us.

Respectfully submitted.

EDWARD G. SWANSON
(And others).

Mr. KENYON presented petitions of sundry citizens of Clearfield and Tabor, in the State of Iowa, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Chariton, Cedar Falls, and Iowa City, all in the State of Iowa, praying